

To: Texas Department of Motor Vehicles Board  
From: Annette Quintero, Vehicle Titles and Registration Division Director  
Agenda Item: 10  
Subject: Chapter 217, Vehicle Titles and Registration  
Amendments: Subchapters A, B, C, D, E, F, G, H, I, J and L  
New: §217.31  
Repeal: §217.34 and §217.87  
(Relating to HB 718 and HB 3297 Legislative Implementation, and Cleanup)

*\*\*This supplement  
replaces the version  
included for Agenda  
Item 10 in the main  
Board eBook.*

### RECOMMENDATION

Action Item. Approval to publish the proposed amendments, new section and repeals in the *Texas Register* for public comment.

### PURPOSE AND EXECUTIVE SUMMARY

The department is conducting a review of its rules under 43 Texas Administrative Code (TAC) Chapter 217 in compliance with Government Code, §2001.039. The proposed amendments, new section and repeals would implement House Bill (HB) 718 and HB 3297, 88<sup>th</sup> Legislature, Regular Session (2023), and clean up the language in Chapter 217.

### FINANCIAL IMPACT

There will be no significant fiscal implications due to the proposed amendments, new section and repeals.

### BACKGROUND AND DISCUSSION

#### Rule Review

The department is conducting a review of its rules in Chapter 217 in compliance with Government Code, §2001.039. As part of the rule review, the department is proposing necessary amendments, a new section and repeals to update and streamline the rule text, bringing it into compliance with statute and with current department procedure.

As part of the department's rule review of Chapter 217, the department is proposing amendments, a new section and repeals to sections of Chapter 217 with the following goals in mind:

- to implement statutory changes and add conforming language to be consistent with statutes and other chapters in Title 43 of the Texas Administrative Code;
- to clarify the purpose of a rule by amending the title and language;
- to more specifically describe the department's methods and procedures;
- to delete language describing actions for which the department does not have rulemaking authority;
- to modify language to be consistent with current practice, including the use of records or electronic systems;
- to clarify existing requirements;
- to modernize language and improve readability through the use of consistent terminology;
- to clarify or delete unused, archaic, or inaccurate definitions, terms, and references to improve understanding and readability; and

- to repeal provisions that are redundant with statute.

#### Significant Changes Based on Rule Review

- A proposed amendment to §217.9 would conform the rule to Transportation Code, §501.053 by deleting language providing for a certification of lien satisfaction and clarifying that applicants must provide both a release of all liens and a surety bond;
- A proposed amendment to §217.5(a)(2) would clarify the types of ownership evidence accepted by the department for title applications for used cars; and
- A proposed amendment to §217.5(a)(1)(A) would add two new requirements for a manufacturer's certificate of origin, including the name of the manufacturer and the seating capacity, if the vehicle is a motor bus.

#### Advisory Committee Input

In February and March 2024, the department provided an early draft of proposed rules including changes related to the rule review of Chapter 217 and implementation of HB 718 and HB 3297, to three department advisory committees, the Vehicle Titles and Registration Advisory Committee (VTRAC), the Motor Vehicle Industry Regulation Advisory Committee (MVIRAC), and the Customer Service and Protection Advisory Committee (CSPAC). Committee members voted on formal motions and provided informal comments on other provisions. Additionally, stakeholders, including the Texas Automobile Dealers Association (TADA), the Texas Independent Automobile Dealers Association (TIADA), the Texas Recreational Vehicle Association (TRVA), and the Texas Motorcycle Dealers Association (TMDA), provided feedback and input on one or more rule proposals.

#### Legislative Implementation:

Amendments are also proposed to implement HB 718, which amended various sections in Transportation Code, Chapters 501, 502, 503, 504, 520, and 548 to remove provisions authorizing a vehicle dealer or converter to issue a temporary tag for a vehicle and replaced these tags with categories of license plates effective July 1, 2025. Accordingly, HB 718 requires a motor vehicle dealer to issue to a person who buys a vehicle from the dealer, a license plate or set of license plates. HB 718 requires the department to determine new distribution methods, systems, and procedures; if a motor vehicle is sold to a Texas resident, a Texas dealer will assign a license plate to the vehicle unless the buyer has a specialty or other qualifying license plate, and the assigned license plate will stay with the vehicle if the vehicle is later sold to another Texas buyer.

Additionally, amendments are proposed to implement HB 3297, which amended various sections in Transportation Code, Chapters 502, 547, and 548. HB 3297 repealed Transportation Code provisions mandating vehicle safety inspections for non-commercial vehicles but maintained safety inspections for commercial vehicles and vehicle emissions inspections for vehicles in certain counties. HB 3297 is effective January 1, 2025.

1	<b>PROPOSAL OF REVISIONS TO</b>
2	<b>SUBCHAPTER A. MOTOR VEHICLE TITLES</b>
3	<b>43 TAC §§217.2-217.9, 217.11 AND 217.14-217.16</b>
4	<b>SUBCHAPTER B. MOTOR VEHICLE REGISTRATION</b>
5	<b>43 TAC §§217.22, 217.23, 217.25-217.29, 217.33, 217.36, 217.37, 217.40, 217.41, 217.43, 217.45,</b>
6	<b>217.46, AND 217.50-217.56</b>
7	<b>SUBCHAPTER C. REGISTRATION AND TITLE SYSTEMS</b>
8	<b>43 TAC §§217.71, 217.74, AND 217.75</b>
9	<b>SUBCHAPTER D. NONREPAIRABLE AND SALVAGE MOTOR VEHICLES</b>
10	<b>43 TAC §§217.81-217.86, 217.88, AND 217.89</b>
11	<b>SUBCHAPTER E. TITLE LIENS AND CLAIMS</b>
12	<b>43 TAC §217.106</b>
13	<b>SUBCHAPTER F. MOTOR VEHICLE RECORDS</b>
14	<b>43 TAC §§217.122-217.125, 217.129, AND 217.131</b>
15	<b>SUBCHAPTER G. INSPECTIONS</b>
16	<b>43 TAC §217.143 AND §217.144</b>
17	<b>SUBCHAPTER H. DEPUTIES</b>
18	<b>43 TAC §§217.161, 217.166 AND 217.168</b>

1 **SUBCHAPTER I. PROCESS AND HANDLING FEES**

2 **§§217.181 - 217.185**

3 **SUBCHAPTER J. PERFORMANCE QUALITY RECOGNITION PROGRAM**

4 **§217.205**

5 **SUBCHAPTER L. ASSEMBLED VEHICLES**

6 **§217.404**

7 **NEW**

8 **§217.31**

9 **REPEAL OF**

10 **43 TAC §217.34 AND §217.87**

11 **INTRODUCTION.** The Texas Department of Motor Vehicles (department) proposes amendments, a new  
12 section and repeals to 43 Texas Administrative Code (TAC) Chapter 217, Subchapter A, Motor Vehicle  
13 Titles; §§217.2-217.9, 217.11, and 217.14-217.16; Subchapter B, Motor Vehicle Registration, §§217.22,  
14 217.23, 217.25-217.29, 217.33, 217.36, 217.37, 217.40, 217.41, 217.43, 217.45, 217.46, 217.50-217.56;  
15 Subchapter C, Registration and Title Systems, §§217.71, 217.74, and 217.75; Subchapter D,  
16 Nonrepairable and Salvage Motor Vehicles, §§217.81-217.86, 217.88, and 217.89; Subchapter E, Title  
17 Liens and Claims, §217.106; Subchapter F, Motor Vehicle Records, §§217.122-217.125, 217.129, and  
18 217.131; Subchapter G, Inspections §§217.143 and 217.144; Subchapter H, Deputies, §§217.161,  
19 217.166 and 217.168; Subchapter I, Fees, §§217.181 - 217.185; Subchapter J, Performance Quality

1 Recognition Program, §217.205; and Subchapter L, Assembled Vehicles, §217.404. The department  
2 proposed new §217.31. Repeals are proposed for §217.34 and §217.87.

3 The proposed amendments, new section and repeals are necessary to bring the rules into  
4 alignment with statute; to remove language that is redundant with statute; to clarify the purpose of a  
5 rule by amending the title and language; to clarify existing requirements; to modernize language and  
6 improve readability through the use of consistent terminology; to clarify or delete unused, archaic, or  
7 inaccurate definitions, terms, and references; and to more specifically describe the department’s  
8 methods and procedures.

9 Amendments are also proposed to implement House Bill (HB) 718, 88<sup>th</sup> Legislature, Regular  
10 Session (2023), which amended various sections in Transportation Code, Chapters 501, 502, 503, 504,  
11 520, and 548 to remove provisions authorizing a vehicle dealer or converter to issue a temporary tag for  
12 a vehicle and replaced these tags with categories of license plates, effective July 1, 2025. Accordingly,  
13 HB 718 requires a motor vehicle dealer to issue to a person who buys a vehicle from the dealer a license  
14 plate or a set of license plates. HB 718 requires the department to determine new distribution methods,  
15 systems, and procedures; set certain fees; and adopt related rules by December 1, 2024. Beginning July  
16 1, 2025, if a motor vehicle is sold to a Texas resident, a Texas dealer will assign a license plate to the  
17 vehicle unless the buyer has a specialty or other qualifying license plate, and the assigned license plate  
18 will stay with the vehicle if the vehicle is later sold to another Texas buyer.

19 Additionally, amendments are proposed to implement HB 3297, 88<sup>th</sup> Legislature, Regular Session  
20 (2023), which amended various sections in Transportation Code, Chapters 502, 547, and 548. HB 3297  
21 repealed Transportation Code provisions mandating vehicle safety inspections for noncommercial

1 vehicles but maintained safety inspections for commercial vehicles and vehicle emissions inspections for  
2 vehicles in certain counties. HB 3297 is effective January 1, 2025.

3 The department is also conducting a review of its rules in Chapter 217 in compliance with  
4 Government Code, §2001.039. Notice of the department’s plan to review Chapter 217 is published in  
5 this issue of the *Texas Register*. As a part of the rule review, the department is proposing necessary  
6 amendments and repeals to update and streamline the rule text, bringing it into compliance with statute  
7 and with current department procedure.

8 In 2019, the Sunset Commission recommended the board establish advisory committees and  
9 adopt rules regarding standard advisory committee structure and operating criteria. The board adopted  
10 rules in 2019 and advisory committees have since provided valuable input on rule proposals considered  
11 by the board for proposal or adoption. In February and March 2024, the department provided an early  
12 draft of rule changes implementing HB 718 and HB 3297 to three department advisory committees, the  
13 Vehicle Titles and Registration Advisory Committee (VTRAC), the Motor Vehicle Industry Regulation  
14 Advisory Committee (MVIRAC), and the Customer Service and Protection Advisory Committee (CSPAC).  
15 Committee members voted on formal motions and provided informal comments on other provisions.  
16 Additionally, stakeholders including the Texas Automobile Dealers Association (TADA), the Texas  
17 Independent Automobile Dealers Association (TIADA), the Texas Recreational Vehicle Association  
18 (TRVA), and the Texas Motorcycle Dealers Association (TMDA) provided feedback and input on one or  
19 more rule proposals. Due to the delayed effective dates of HB 718 and HB 3297, it is necessary to delay  
20 the effective dates of the rules implementing those bills. As a result, the amendments to §§217.4,  
21 217.27 and 217.89 are proposed to be effective January 1, 2025, and proposed amendments to §§217.8,  
22 217.16, 217.40, 217.46, 217.52, 217.168, 217.182 and 217.185 are proposed to be effective July 1, 2025.

1 **EXPLANATION.**

2 Subchapter A. Motor Vehicle Titles

3 Proposed amendments to §217.2 would delete the definitions for “all-terrain vehicle or ATV”  
4 “house moving dolly,” “implements of husbandry,” “obligor,” “off-highway vehicle,” “recreational off-  
5 highway vehicle or ROV,” “sand rail,” and “utility vehicle or UTV” because none of these terms are used  
6 in proposed amended Chapter 217. Another proposed amendment would add a new definition for  
7 “current photo identification” in new §217.2(4), using language that currently appears in §217.5(d)(4) to  
8 allow the department the flexibility to accept government-issued photo identification within 12 months  
9 of the expiration date, as well as state-issued personal identification certificates that do not have  
10 expiration dates. The remaining paragraphs in §217.2 are proposed to be renumbered accordingly. A  
11 proposed amendment to §217.2(25) would delete subparagraphs A, B, and C from the definition of  
12 “verifiable proof,” as those subparagraphs are unnecessary and duplicative of language in §217.7,  
13 relating to Replacement of Title.

14 A proposed amendment to the introductory sentence in §217.3 would add the words “or this  
15 subchapter” to clarify that the rules in 43 TAC Chapter 217, Subchapter A, relating to Motor Vehicle  
16 Titles, regulate applications for title by motor vehicle owners. A proposed amendment would delete  
17 §217.3(1)(B) to remove unnecessary language that is duplicative of the definition of “moped” in §217.2  
18 and would remove the letter for subparagraph (A) because there would only be one subparagraph in  
19 §217.3(1) due to the proposed deletion of subparagraph (B). A proposed amendment would delete  
20 §217.3(2)(A) to conform the rule to the Texas Transportation Code, Chapter 501, which does not prohibit  
21 the titling of implements of husbandry. A proposed amendment to §217.3(2)(C) would replace “farm  
22 tractors” with “tractors” to clarify that while farm tractors may be exempt from registration, tractors

1 used to mow rights of way or to move commodities are not. Another proposed amendment would  
2 delete §217.3(2)(D) to remove unnecessary language that is duplicative of language in the  
3 Transportation Code. The remaining subsections of §217.3(2) are proposed to be renumbered  
4 accordingly. A proposed amendment to §217.3(4) would delete the portion of the paragraph reciting the  
5 weight requirements for mandatory titling of trailers, as well as the portion of the paragraph stating that  
6 trailers under 4,000 pounds may be permissively titled, to remove unnecessary language that is  
7 duplicative of language in the Transportation Code.

8 A proposed amendment to §217.4(d)(4) would delete language requiring completion of a vehicle  
9 inspection under Transportation Code, Chapter 548 for all title applications, and substitute language  
10 specifying that for vehicles last registered in another state, applicants must verify the vehicle  
11 identification number (VIN) by a process described on a department self-certification form if the vehicle  
12 is not subject to Transportation Code, Chapter 548. The proposed changes would implement HB 3297,  
13 which removed the vehicle safety inspection as a prerequisite for registration and titling while still  
14 allowing the department to deter fraud by verifying the VINs of out-of-state vehicles. The proposed  
15 amendment also clarifies that if an applicant is registering or titling a vehicle in a county subject to  
16 emissions testing, the emissions testing requirements must be satisfied. A proposed amendment to  
17 §217.4(d)(5) would delete paragraphs (A) and (B) and re-organize the rule accordingly. The proposed  
18 deletion of paragraphs (A) and (B) would remove language that is unnecessary because it is duplicative  
19 of language in the Transportation Code. These amendments to §217.4 are proposed for a future effective  
20 date of January 1, 2025, in accordance with the effective date of HB 3297.

21 A proposed amendment to §217.5(a)(1)(A) would add new requirements for a manufacturer's  
22 certificate of origin (MCO). Proposed new §217.5(a)(1)(A)(i) would require that a manufacturer's name



1 be listed on the MCO, to eliminate confusion as to the name of the manufacturer when shortened  
2 versions or abbreviations of a manufacturer’s name are printed on an MCO. Proposed new  
3 §217.5(a)(1)(A)(vi) would require listing seating capacity (number of passengers) for motor bus MCOs, to  
4 help the department to quickly determine based on the seating capacity whether a vehicle should be  
5 registered or titled as a bus. The remainder of §217.5(a)(1)(A) would be renumbered accordingly.

6 Section 217.5(a)(2) sets requirements for the evidence of motor vehicle ownership that must  
7 accompany an application for title on a used motor vehicle. The proposed amendment to §217.5(a)(2),  
8 would delete vague language relating to “other evidence of ownership,” because the term is confusing  
9 and does not offer clear guidance to the public as to the type of ownership evidence that is acceptable  
10 to the department. Proposed new paragraphs §217.5(a)(2)(A)-(E) would clarify the application  
11 requirements by listing the specific types of evidence of ownership that must be submitted as part of a  
12 title application, reflecting current department procedure.

13 A proposed amendment to §217.5(a)(4)(C)(ii) would modernize the rule by deleting a reference  
14 to “an original United States Customs stamp” that is not required under relevant statutes governing  
15 importation of motor vehicles. A proposed amendment to §217.4(a)(4)(C)(v) would insert a hyphen into  
16 the phrase “non United States” to correct a grammatical error.

17 A proposed amendment to §217.5(b)(4) would change the case of the term “Statement of Fact”  
18 from upper to lower case to correct a syntax error. A proposed amendment to §217.5(d)(1) would  
19 remove “and expiration date” and replace “document” with “current photo identification” to employ the  
20 proposed new defined term. An additional proposed amendment to §217.5(d)(1) would delete  
21 “concealed handgun license or,” as this term is not used in the Texas Government Code. Another  
22 proposed amendment would delete the definition of “current” from §217.5(d)(4) because it is proposed

1 to be moved to new §217.2(4). The remaining subsections of §217.5(d) would be renumbered  
2 accordingly. The proposed amendment to §217.5(d)(7) would remove an inaccurate reference to  
3 Occupations Code, Chapter 2301 as the source for issuing a general distinguishing number (GDN).

4 A proposed amendment to §217.6 would add a new subsection (d) clarifying the requirements  
5 for the department to place a hold on processing a title application under Transportation Code,  
6 §501.051(d). Proposed new §217.6(d)(1) clarifies the requirements for evidence of a legal action  
7 regarding ownership of a lien interest in a motor vehicle by specifying that the evidence must show a  
8 legal action that was filed in a district, county, statutory probate, or bankruptcy court. Proposed new  
9 §217.6(d)(1) would allow the parties to maintain the status quo in a legal dispute over a motor vehicle by  
10 placing a hold on the transfer of the title until the dispute is resolved, without the necessity of obtaining  
11 a temporary injunction against the department. This would enhance procedural efficiency for the  
12 department and save resources for both the department and the parties involved in the legal dispute.

13 Proposed new §217.6(d)(2) would clarify that evidence of a legal action filed in a municipal or  
14 justice of the peace court is not sufficient evidence for a title processing hold unless the legal action is  
15 related to Code of Criminal Procedure, Chapter 47 or Government Code, §27.031. This proposed  
16 amendment would make the rule consistent with Transportation Code, §501.0521, which states that a  
17 justice of the peace or municipal court may not issue an order related to a motor vehicle title except in  
18 limited circumstances.

19 Proposed new §217.6(d)(3) would clarify that to qualify for a title processing hold, the legal  
20 action regarding ownership of or a lien interest in a motor vehicle must be active on a court's docket,  
21 and that evidence of a legal action that has been resolved through a final nonappealable judgment will  
22 not support placing of a title processing hold. Proposed new §217.6(d)(5) would define "final

1 nonappealable judgment” as one for which 30 days have passed from the date of judgment without  
2 appeal, to eliminate ambiguity as to what constitutes a non-appealable judgment for the purposes of  
3 releasing a title processing hold. When there is a final nonappealable judgment, proposed new  
4 §217.6(d)(3) would require evidence of post-judgment legal action before the department could place a  
5 hold on processing a title. These proposed amendments would make the department’s procedures  
6 consistent with Transportation Code, §501.051(d), which states that a hold is terminated when a case is  
7 resolved by a final judgment.

8 Proposed new §217.6(d)(4) would require the department to place a ten-day temporary hold  
9 when a party submits the vehicle’s VIN and an explanation of why the hold is requested. This proposed  
10 amendment would reflect the current department practice of providing a temporary 10-day processing  
11 hold to allow a party to time to file a lawsuit and to present evidence of the legal action to the  
12 department. The proposed amendment would acknowledge that title or lienholders who are  
13 challenging legal bonded title applications or engaged in other types of disputes related to their title or  
14 lien interests, need time to prepare a legal action. Proposed new §217.6(d)(4) would require a party to  
15 submit a VIN for the vehicle at issue because title processing holds are placed in the department’s record  
16 system by VIN. Proposed new §217.6(d)(4) would also require a party to attest that the temporary hold  
17 is being requested in order to commence a legal action disputing a title or lien interest in a motor vehicle  
18 and not for purposes of delay, to ensure that the temporary hold is in furtherance of Transportation  
19 Code, §501.051(d).

20 Proposed amendments to §217.7 would implement the proposed new defined term “current  
21 photo identification” in §217.2(4) by adding it §217.7(b)(1) in place of “document,” adding it to  
22 §217.7(b)(3)(A) - (C) and deleting the definition of “current” from §217.7(b)(4). The remaining

1 subsections of §217.7(b) are proposed to be renumbered accordingly. These proposed amendments  
2 would improve readability of the rule and ensure consistent use of terminology throughout the  
3 subchapter. A proposed amendment to §217.7(b)(1)(F) would delete the phrase “concealed handgun  
4 license” because Government Code, Chapter 411 does not use the term “concealed handgun license”  
5 and this type of license is no longer required by law.

6           The proposed amendments to §217.8 would implement HB 718, which amended Transportation  
7 Code, §501.147 to mandate that dealers holding a GDN submit notifications to the department of sales  
8 or transfers of motor vehicles to the dealer. A proposed amendment to §217.8(a) would remove dealers  
9 that hold a GDN from the rule on voluntary notifications to the department since notification is now  
10 mandatory rather than voluntary under Transportation Code, §501.147, as amended by HB 718.  
11 Proposed new §217.8(b) would require dealers with a GDN to submit notifications to the department of  
12 sales or transfers of motor vehicles to the dealer, including all information required under Transportation  
13 Code, §501.147(b), as amended by HB 718. Proposed new §217.8(b) would also clarify that dealers with  
14 a GDN can submit the written notification to the department through a variety of methods, including  
15 electronically through the department’s website portal, as is required by Transportation Code, §501.147,  
16 as amended by HB 718. The other subsections of §217.8 are proposed to be renumbered accordingly to  
17 accommodate the addition of proposed new §217.8(b). A proposed amendment to current §217.8(b)  
18 would clarify that dealers that hold a GDN are identified as transferors for purposes of the department  
19 updating its records documenting the vehicle transfer. These amendments to §217.8 are proposed for a  
20 future effective date of July 1, 2025, in accordance with the effective date of HB 718.

21           Proposed amendments to §217.9(a)(1) would delete the phrase “and the surety bonding  
22 company ensures lien satisfaction or” and insert new language specifying that an applicant, rather than a

1 surety bond company, must provide both a release of all liens and a bond. The proposed amendment  
2 would conform the rule with Transportation Code, §501.053(a)(3), which requires an applicant to  
3 produce a release of all liens with a bond and does not authorize a surety bond company to ensure lien  
4 satisfaction in lieu of a release of all liens from the relevant lienholders. A proposed amendment to  
5 §217.9(e)(7) would delete language related to certification of lien satisfaction by the surety bond  
6 company and a notice of determination letter. This proposed amendment would make the paragraph  
7 consistent with the proposed amendment to §217.9(a)(1) and conform the rule to Transportation Code,  
8 §501.053(a)(3), which does not provide for certification of lien satisfaction by a surety bond company,  
9 but instead requires a release of all liens and a surety bond for an applicant to qualify for bonded title.

10 Proposed amendments to §217.11(a) would delete unnecessary and duplicative language that  
11 simply repeats requirements from Transportation Code §501.051(b), and would substitute citations to  
12 Transportation Code §501.051(b). The proposed amendments would create new paragraph (b) from  
13 former paragraph (a)(5), delete language from former paragraph (a)(5) referring to language in  
14 paragraph (a)(3)(B) that is proposed for deletion, and add language to the proposed new paragraph (b)  
15 clarifying and restating the current requirement that an affidavit for recission must be accompanied by  
16 an odometer disclosure statement if the vehicle was ever in the possession of the title applicant. The  
17 proposed amendments would also delete current §217.11(b) because it refers to language in paragraph  
18 (a)(3)(B) that is proposed for deletion. The proposed amendments would thus remove unnecessary  
19 language and improve readability.

20 A proposed amendment to §217.14 would delete the phrase “registered with the following  
21 distinguishing license plates” and replace it with the “eligible for machinery license plates and permit  
22 license plate, in accordance with Transportation Code, §502.146.” The proposed deletion would clarify

1 that the exemption from titling for vehicles eligible for machinery license and permit plates is not limited  
2 vehicles that have been registered and applies to all vehicles eligible for machinery license plates and  
3 permit license plates. An additional amendment would delete unnecessary language that is duplicative  
4 of statute.

5 A proposed amendment to §217.15(c) would implement HB 3297 by replacing a reference to a  
6 “state inspection” fee with a broader reference to any fee “under Transportation Code, Chapter 548.”  
7 The proposed amendment would align the rule with HB 3297 which amended Transportation Code,  
8 Chapter 548 to eliminate the requirement for a state safety inspection. These amendments to §217.15  
9 are proposed for a future effective date of January 1, 2025, in accordance with the effective date of HB  
10 3297.

11 A proposed amendment to §217.16(f)(4) would implement HB 718 by replacing “buyer’s  
12 temporary tag fee” with “fee associated with the issuance of a license plate or set of plates.” The  
13 proposed amendment would align the rule with HB 718 which amended Transportation Code Chapter  
14 503 to eliminate buyer’s temporary tags. The amendments to §217.16 are proposed for a future effective  
15 date of July 1, 2025, in accordance with the effective date of HB 718.

16

17 Subchapter B. Motor Vehicle Registration.

18 Proposed amendments to §217.22 would add a new definition of “current photo identification”  
19 in new §217.22(11), using language that currently appears in §217.26(c) to allow the department the  
20 flexibility to accept government-issued photo identification within 12 months of the expiration date, as  
21 well as state-issued personal identification certificates that do not have expiration dates. Other proposed  
22 amendments to §217.22 would delete the definition “legally blind” in §217.22(24) because it is not used

1 in the subchapter, and would delete the definition of “vehicle inspection sticker” in §217.22(47) to align  
2 with changes to the law to no longer require separate vehicle inspection stickers. The remaining  
3 subsections of §217.22 would be renumbered accordingly. A proposed amendment to §217.22(27)  
4 would add a citation to Transportation Code, Chapter 503 for completeness, clarity, and ease of  
5 reference. A proposed amendment to §217.22(38) would remove the phrase “under SA” to remove  
6 unnecessary and confusing wording.

7 Proposed amendments to §217.23(b)(1) would add a cross reference to §217.5, relating to  
8 Evidence of Motor Vehicle Ownership, for clarity and ease of reference, and would remove an  
9 unnecessary statutory reference.

10 Proposed amendments to §217.25 would add a reference to Transportation Code, §502.145 to  
11 clarify that the statute creates an exception to the rule: Transportation Code, §502.145 allows a  
12 nonresident owner of a privately owned passenger car that is registered in the state or country in which  
13 the person resides and that is not operated for compensation to not register in Texas as long as the car’s  
14 licenses in the owner’s state of residence are valid.

15 Proposed amendments to §217.26(a) would implement the proposed new defined term “current  
16 photo identification” in §217.22(11) by adding it §217.26(a) in place of “document,” adding it to  
17 §§217.26(b)(2)(B), 217.26(b)(3), and 217.26(b)(4)(B) in place of “government issued,” deleting the  
18 definition of “current” from §217.26(c), and relettering the remaining subsections of §217.26  
19 accordingly. A proposed amendment to §217.26(a)(6) would delete “concealed handgun license” from  
20 the list of acceptable forms of identification as this type of license is no longer required by law.

21 Proposed amendments to §217.27(a)(1) would add the defined term “vehicle registration  
22 insignia” for clarity and consistency and delete unused or archaic terms and references. Proposed  
06/27/2024

1 amendments to §217.27(b) would move the carve-out for a vehicle described by Transportation Code,  
2 §621.2061 to place the rear license plate so that it is clearly visible, readable, and legible, from  
3 paragraph (b)(1), which addresses vehicles that display two plates, to paragraph (b)(2), which addresses  
4 vehicles that only display one plate. This amendment would acknowledge that vehicles described in  
5 Transportation Code, §621.2061 are carrying a load that obscures the license plate.

6 Proposed amendments to §217.27(c)(2)(A) implement HB 3297, which amended Transportation  
7 Code, §502.0024 to specify which vehicles may obtain a registration insignia for a period consisting of 12,  
8 24, 36, 48 or 60 consecutive months on payment of all fees for each full year of registration. The  
9 proposed amendments to §217.27(c)(2)(A) would further implement HB 3297 by deleting outdated text  
10 that referenced vehicle inspections and sections of the Transportation Code that HB 3297 eliminated.  
11 Due to the proposed amendments implementing HB 3297, the amendments to §217.27 are proposed for  
12 a future effective date of January 1, 2025, in accordance with the effective date of HB 3297.

13 Proposed amendments to §217.27(d)(1)(2), (2)(A), (3), (e), (f), and (h) substitute the term  
14 “license plate number” for “alphanumeric pattern” to implement HB 718, which requires that the  
15 department issue license plates rather than temporary tags. A proposed amendment to §217.27(d)(1)  
16 would substitute the term “general issue” for the word “regular” to implement HB 718 with consistent  
17 terminology that distinguishes among types of license plates that the department will now issue.

18 The repeal of §217.28(e)(1) is proposed because the language is redundant with statute. The  
19 remaining sections are proposed to be renumbered accordingly. Proposed amendments would add new  
20 §217.28(e)(6) to clarify that the operation of a vehicle with an expired registration that has been stored  
21 or otherwise not in operation that is driven only to an inspection station for the purpose of obtaining an  
22 inspection if required for registration, will not affect the determination of whether the registrant has a



1 valid or invalid reason for being delinquent. This proposed amendment will remove a deterrent to  
2 inspection and further clarify when a vehicle will be assessed delinquency penalties.

3 Proposed amendments to §217.29 would repeal §217.29(d) and §217.29(f) as these subsections  
4 are outdated and apply only to vehicle registrations expiring prior to January 1, 2017. The remaining  
5 subsections are proposed to be relettered accordingly. Proposed amendments to relettered §217.29(e)  
6 would remove outdated language about vehicle registrations around January 1, 2017. Proposed  
7 amendments to relettered §217.29(f) would modernize the rule by removing more outdated language  
8 about registration renewals in 2017, and by updating the wording to require the department and the  
9 department’s third-party centralized vendor to promptly facilitate and mail vehicle registration insignias  
10 to applicants who submit registration renewals via the Internet.

11 Proposed new §217.31 would be a standalone rule regarding the federal heavy vehicle use tax  
12 (HVUT) requirements, which are imposed by 26 U.S.C. §4481, *et seq.* and 26 C.F.R. Part 41. Although the  
13 Internal Revenue Service (IRS) collects the HVUT, the department requires compliance with the HVUT  
14 requirements prior to issuing vehicle registration for applicable vehicles, to prevent the state’s loss of  
15 federal-aid highway funds under 23 U.S.C. §141(c) and 23 U.S.C. §104(b)(1). The department also  
16 complies with 23 C.F.R. Part 669, which are Federal Highway Administration (FHWA) regulations  
17 regarding the enforcement of the HVUT requirements via the vehicle registration process for a highway  
18 motor vehicle as defined by the federal law on the HVUT.

19 Proposed new §217.31 would also incorporate by reference the IRS regulation - 26 C.F.R.  
20 §41.6001-2 - regarding the circumstances under which a state must require proof of payment of the  
21 HVUT and the required manner in which such proof of payment must be received by a state as a  
22 condition of issuing a registration for a highway motor vehicle as defined by the federal law regarding the

1 HVUT. Section 41.6001-2(c) states that proof of payment of the HVUT consists of a receipted Schedule 1  
2 (Form 2290 “Heavy Vehicle Use Tax Return”) that is returned by the IRS, by mail or electronically. Section  
3 41.6001-2(c) also authorizes an acceptable substitute for a receipted Schedule 1. The IRS provides  
4 guidance on its website regarding Form 2290 for the collection of the HVUT. The IRS website for Form  
5 2290 is located at the following address: <https://www.irs.gov/forms-pubs/about-form-2290>.

6 Although the department complies with the HVUT requirements for all applicable vehicle  
7 registrations, multiple rules in Chapter 217 reference the HVUT requirements. New §217.31 would help  
8 vehicle registration applicants find the applicable HVUT requirements because new §217.31 would be  
9 titled “Heavy Vehicle Use Tax.” Also, federal law imposes the requirements for the payment of the HVUT,  
10 as well as the circumstances under which a state must require proof of payment of the HVUT and the  
11 required manner in which such proof of payment must be received by a state.

12 Proposed amendments to §217.33 would implement HB 718 by adding the word “license”  
13 before “plate” in several places in subparagraphs (a), (b), and (d) to improve readability through the use  
14 of consistent terminology.

15 The repeal of §217.34 is proposed to remove language that is redundant with statute.

16 Amendments to §§217.36(c)(1), 217.36(c)(4), and 217.36(c)(5) are proposed to modernize  
17 language and match current practices by removing references to submitting information to the  
18 department on magnetic tape and replacing them with references to submitting information through the  
19 secure transfer portal.

20 Proposed amendments to §217.37 would clarify that the department and the county will only  
21 charge fees provided by statute or rule. The proposed amendments would repeal §217.37(b) because it

1 is a restatement of the \$2 fee for a duplicate registration receipt required in Transportation Code,  
2 §502.058(a).

3 Proposed amendments to §217.40 would implement HB 718 by creating new plate types and  
4 ensuring consistency in the terminology used to refer to the new plates in rule. In accordance with the  
5 effective date of HB 718, the amendments to §217.40 are proposed for a future effective date of July 1,  
6 2025. Proposed amendments to §217.40(a) implement HB 718 by updating terminology and adding  
7 “special registration license plates” in addition to “special registration permits.”

8 Proposed amendments to §217.40(b)(1) would add a statutory reference to Transportation  
9 Code, §502.434 and delete unnecessary language in §217.40(b)(1)(A)-(D) that is redundant with the  
10 statute to streamline the rule text and to improve readability and ease of reference. The remaining  
11 subsections in §217.40(b)(1) would be relettered accordingly. Proposed amendments to §217.40(b)(2)  
12 would add a reference to Transportation Code, §502.093 and delete unnecessary language in  
13 subparagraph (A) for ease of reference. A proposed amendment would delete §217.40(b)(2)(B) because  
14 it is redundant with statute, and the remaining subsections of §217.40(b)(2) would be relettered  
15 accordingly. Proposed amendments to create new §217.40(b)(2)(C) would implement HB 718 by  
16 specifying that the department will issue a license plate for an annual permit under Transportation Code,  
17 §502.093, and would also provide a definition for the term “foreign commercial motor vehicle.”  
18 Proposed amendments would delete §217.40(b)(2)(C)(ii) because it is redundant with statute. Proposed  
19 amendments to §217.40(b)(3) would clarify that 72-hour permits and 144-hour permits are governed in  
20 accordance with Transportation Code, §502.094 and would delete existing language in subparagraphs  
21 (3)(A-D), and (4)(A-D) that is redundant with the statutory requirements, to streamline the rules and  
22 improve readability and consistency with other subsections.

1 Proposed new §217.40(c) would implement HB 718 by providing for the issuance of various  
2 categories of special registration license plates and would incorporate language that is currently  
3 §217.40(b)(5)-(6). A proposed amendment to renumbered §217.40(c)(1) would implement HB 718 by  
4 substituting “license plates” for “permits,” and would remove unnecessary language that duplicates the  
5 requirements of Transportation Code, §502.095. The remaining subsections of §217.40(c) would be  
6 relettered and renumbered accordingly. Proposed new §217.40(c)(1)(C) would require a one-trip license  
7 plate to be displayed as required by §217.27(b), relating to Vehicle Registration Insignia, for clarity, ease  
8 of reference, and consistency with other subsections.

9 Proposed amendments to current §217.40(b)(6), proposed to be renumbered §217.40(c)(2),  
10 would substitute “license plates” for “temporary registration permits” to implement HB 718, and remove  
11 language that is redundant of Transportation Code §502.095. A proposed amendment to proposed  
12 relettered §217.40(c)(2)(A) would substitute “license plate” for “temporary permit” and “30-day license  
13 plate” for “permit” to implement HB 718. Another proposed amendment to §217.40(b)(6), proposed to  
14 be relettered as §217.40(c)(2)(A), would align the rule with statute by striking motorcycles from the list  
15 of the types of vehicles for which a 30-day license plate is available because Transportation Code  
16 §502.095 does not allow issuance of 30-day license plates to motorcycles. The remaining subsections  
17 are proposed to be relettered accordingly. Proposed new §217.40(c)(2)(B) would clarify that a 30-day  
18 license plate must be displayed as required by §217.27(b), relating to Vehicle Registration Insignia, for  
19 clarity, ease of reference, and consistency with other subsections.

20 A proposed amendment to current §217.40(c), which is proposed to be relettered as  
21 §217.40(d)(1), would implement HB 718 by substituting the word “special” for “temporary” and adding  
22 “or special registration license plate” for consistency with other subsections. Proposed amendments to

1 §217.40(d)(3)(A) would delete unnecessary, redundant language. Proposed amendments to current  
2 §217.40(c)(4)(B), which is proposed to be relettered as §217.40(d)(4)(B), would delete temporary  
3 agricultural permits from being obtained through the county tax assessor-collectors' offices. This  
4 amendment would implement HB 718 and align the rule with statute because HB 718 repealed  
5 Transportation Code, §502.092. Proposed amendments to proposed relettered §217.40(d)(4)(C) would  
6 implement HB 718 by substituting "license plates" for "permits" and "temporary registration permits".

7 Proposed amendments to current §217.40(d), which is proposed to be relettered as §217.40(e),  
8 would implement HB 718 by adding "special registration" and "or special registration license plate"  
9 where "permit" appears throughout the subsection for consistency in the description of the new plate.  
10 The proposed amendments to current §217.40(d) would also delete unnecessary language that is  
11 redundant with statute. Proposed amendments to current §217.40(e), which is proposed to be  
12 relettered to §217.40(f), would implement HB 718 by replacing "temporary" with "special registration"  
13 and adding "or special registration license plates" wherever "permit" appears throughout the  
14 subsection, for consistency in the description of the new plate.

15 Proposed amendments to §217.41(b)(2)(A) would replace "regular motor vehicle license plates"  
16 with "general issue license plates" to implement HB 718, modernize language and improve readability  
17 through the use of consistent terminology. Proposed amendments to §217.41(b)(3) would update  
18 applicable statutory references governing the issuance of windshield disabled parking placards.

19 Proposed amendments to §217.43 would add the word "license" in multiple places to improve  
20 readability through consistent terminology.

21 Proposed amendments to §217.45(b)(2)(B) would remove language that is redundant with  
22 statute. Proposed amendments to §217.45(b)(4) would add the word "license" to modify "plate" in  
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1 several places to implement HB 718 with consistent terminology. Proposed amendments to  
2 §217.45(c)(2)(A)(iii) would implement HB 718 by replacing “alpha numeric pattern” with “license plate  
3 number” to modernize language and improve readability with consistent terminology. Proposed  
4 amendments to §§217.45(c), (d), (e), (f), (h), and (i) would implement HB 718 with consistent  
5 terminology by adding “license” to modify “plate” in multiple places.

6 A proposed amendment to §217.46(a) would clarify that a motor vehicle is required to register  
7 as a commercial vehicle if it meets the definition under Transportation Code, §502.001(7) and would  
8 delete unnecessary language that repeats the statutory requirements. A proposed amendment to  
9 §217.46(b)(3)(A) would delete the words “and full trailers” because Transportation Code, §502.255 only  
10 authorizes a truck-tractor or commercial motor vehicle with a combination license plate to be used in  
11 combination with a semitrailer that has a gross weight of more than 6,000 pounds. Although  
12 Transportation Code, §502.255(e) says that for registration purposes, a semitrailer that has been  
13 converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer, this  
14 exception under §502.255(e) is already addressed in §217.46(b)(3)(B). Another proposed amendment to  
15 §217.46(b)(3)(A) would also clarify that a truck or truck-tractor displaying a combination license plate  
16 issued under Transportation Code, §502.255 may only pull a semitrailer issued a license plate from  
17 another state to the extent authorized under a registration reciprocity agreement under Transportation  
18 Code, §502.091 regarding registration reciprocity agreements. Transportation Code, §502.255 regarding  
19 combination license plates does not authorize a truck or truck-tractor with a combination license plate to  
20 pull a semitrailer with a license plate issued by another state; however, Transportation Code, §502.091  
21 provides such authority if there is a registration reciprocity agreement that authorizes it.

1 Proposed amendments to §217.46(b)(3)(A)(i) and (ii) would modify the language because  
2 Transportation Code, §502.255(a) requires the truck or truck tractor in the combination to have a gross  
3 weight of “more than 10,000 pounds,” which means a truck or truck-tractor that has a gross weight of  
4 10,000 pounds or less does not qualify for registration under Transportation Code, §502.255. Proposed  
5 amendments to §217.46(b)(3)(A)(ix) would replace “temporary” with “special registration”, replace  
6 “permits” with “special registration license plates,” and replace “permits” with “license plates” to  
7 improve readability through consistent terminology. A proposed amendment to §217.46(b)(3)(B) would  
8 delete the word “full” from the term “full trailers” because the language summarizes the authority under  
9 Transportation Code, §502.255(e) for a semitrailer that has been converted to a trailer by means of an  
10 auxiliary axle assembly to retain its status as a semitrailer. Transportation Code, §502.001 defines the  
11 word “trailer,” but does not define the term “full trailer.” Therefore, the proposed amendment to delete  
12 the word “full” from the term “full trailers” would provide clarity. A proposed amendment to  
13 §217.46(b)(3)(D)(iii) would add the word “license” to modify “plates,” to improve readability and clarity  
14 through consistent terminology. A proposed amendment would delete §217.46(b)(6) because in transit  
15 license plates under Transportation Code, §503.035 are addressed under 43 TAC §215.143. The  
16 remaining paragraphs of §217.46(b) are proposed to be renumbered accordingly.

17 A proposed amendment to renumbered §217.46(b)(5)(A) would replace the word  
18 “required” with the word “authorized” because a token trailer license plate is available for semitrailers  
19 that qualify for a token trailer license plate under the law. A proposed amendment to renumbered  
20 §217.46(b)(5)(B) would delete language regarding an exemption under Transportation Code, §502.094  
21 because Transportation Code, §502.001(40) and §502.255 do not provide an exemption. Transportation  
22 Code, §502.001(40) defines a token trailer and states that a token trailer is only authorized to be  
23 operated in combination with a truck or truck-tractor that has been issued an apportioned license plate,  
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1 a combination license plate or a forestry vehicle license plate. Transportation Code, §502.001(40) does  
2 not list a truck or truck-tractor registered with a special registration permit under Transportation Code,  
3 §502.094, so a special registration permit under Transportation Code, §502.094 may not be used to  
4 increase the combined gross weight of a truck or truck-tractor to pull a token trailer, even if the truck or  
5 truck-tractor is registered for a lower combined gross weight under one of the types of registration  
6 referenced in Transportation Code, §502.001(40). If the truck or truck-tractor is only authorized to  
7 operate at a higher combined gross weight (combined gross weight of the truck or truck-tractor and the  
8 token trailer) because of the authority under Transportation Code, §502.094 for a 72-/144-hour permit,  
9 then the truck or truck-tractor is operating under the registration authority under Transportation Code,  
10 §502.094, rather than the registration authority of a registration type referenced in Transportation Code,  
11 §502.001(40). However, a vehicle combination may be eligible under Transportation Code, Chapters 621  
12 through 623 to operate at a higher gross weight than a registered gross weight of 80,000 pounds  
13 provided the vehicle combination is operated in compliance with such laws, but provisions in  
14 Transportation Code, Chapters 621 through 623 might require such vehicle combination to operate at  
15 less than 80,000 pounds gross weight even if the combination is registered for 80,000 pounds gross  
16 weight. Vehicle registration is a different issue than maximum weight authorized under Transportation  
17 Code, Chapters 621 through 623. Also, Transportation Code, §623.011 is not the only statute in  
18 Transportation Code, Chapter 623 that might authorize the vehicle combination to exceed 80,000  
19 pounds gross weight. For these reasons, a proposed amendment to renumbered §217.46(b)(5)(B) would  
20 replace the reference to Transportation Code, §623.011 with a reference to Transportation Code,  
21 Chapters 621 through 623.

22 Proposed amendments to renumbered §217.46(b)(5)(D) would change the catchline from “Full  
23 trailers” to “Trailer” and would delete the word “full” from the term “full trailer” because Transportation  
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1 Code, §502.255 only authorizes a semitrailer to be eligible for a token trailer license plate, and  
2 Transportation Code, §502.001 defines the word “trailer,” but does not define the term “full trailer.”  
3 Current §217.46(b)(3)(B) already includes the exception under Transportation Code, §502.255(e), which  
4 says that for registration purposes, a semitrailer converted to a trailer by means of an auxiliary axle  
5 assembly retains its status as a semitrailer. A proposed amendment to renumbered §217.46(b)(5)(D)  
6 would also replace the word “will” with the word “shall” before the word “not” because Government  
7 Code, §311.016 defines the word “shall” to impose a duty. Because Transportation Code, §502.255 does  
8 not authorize the department to issue a token trailer license plate for a trailer, this proposed  
9 amendment to renumbered §217.46(b)(5)(D) clarifies that the department is prohibited from issuing a  
10 token trailer license plate for a trailer. Government Code, Chapter 311 applies to each rule adopted  
11 under a code, such as the rules under Chapter 217.

12 A proposed amendment to §217.46(c)(1) would clarify that an applicant shall apply to the  
13 appropriate county tax assessor-collector or the department, as applicable, for commercial license  
14 plates. A proposed amendment to §217.46(c)(3)(B)(ii) would clarify the reference to the laws regarding  
15 overweight vehicles. A proposed amendment to §217.46(c)(4) would provide an option to establish  
16 ownership of a vehicle by securing a bond if no VIN or serial number can be identified, to give vehicle  
17 owners flexibility with more avenues to establish ownership. Proposed amendments to §217.46(c)(7)(D)  
18 would implement HB 718 and increase clarity through consistent terminology by replacing “temporary  
19 operating” permits with “special registration” permits and by replacing “additional weight” with “special  
20 registration license plates.”

21 Proposed amendments to §217.46(c)(5)(C) would clarify the sentence and remove an outdated  
22 reference to an international stamp under Chapter 218 of Title 43. Transportation Code, §502.046 says

1 that evidence of financial responsibility as required by Transportation Code, §601.051, other than for a  
2 trailer or semitrailer, shall be submitted with the application for registration under Transportation Code,  
3 §502.046. If the vehicle is registered in compliance with Chapter 218, this is evidence that Transportation  
4 Code, §601.051 does not apply because Transportation Code, §601.007(c) says that Transportation Code,  
5 Chapter 601 (other than §601.054) does not apply to a motor vehicle that is subject to Transportation  
6 Code, Chapter 643. If Transportation Code, Chapter 643 requires a motor carrier to register its vehicle  
7 under Chapter 643, the motor carrier must obtain such registration under 43 TAC Chapter 218 and  
8 Transportation Code, Chapter 643. The reference to registration under Chapter 218 and Transportation  
9 Code, Chapter 643 is a reference to operating authority, rather than vehicle registration as provided  
10 under Transportation Code, Chapter 502.

11 Proposed amendments to §217.46(c) would delete paragraphs (6) and (7) because the  
12 department is proposing new §217.31, which would provide the HVUT requirements. Federal law  
13 imposes the requirements for the payment of the HVUT, the circumstances under which a state must  
14 require proof of payment of the HVUT and the required manner in which such proof of payment must be  
15 received by a state. Proposed new §217.31 cites to the applicable federal law regarding the HVUT and  
16 incorporates the applicable IRS regulation by reference.

17 Proposed amendments to §217.46(d)(1) would delete language regarding fixed five-year vehicle  
18 registration terms for rental trailers and token trailers because the language is not supported by statute.  
19 Transportation Code 502.0024(a), as amended by HB 3297, states, “Payment for all applicable fees...for  
20 the entire registration period is due at the time of registration.” Also, Transportation Code, §502.0024  
21 authorizes the applicant to choose a registration term up to five years. Further, HB 2357, 82<sup>nd</sup> Legislature,  
22 Regular Session (2011) deleted language regarding a five-year registration period for a token trailer. In

1 addition, the department does not require trailers that are registered under Transportation Code,  
2 §502.0024 to have a March 31<sup>st</sup> expiration date, unless the registration term begins on April 1<sup>st</sup>.

3 A proposed amendment to §217.46(e)(1) would add the word “license” to modify “plates” for  
4 improved readability and clarity through consistent terminology. In accordance with the effective date  
5 of HB 718, the amendments to §217.46 are proposed for a future effective date of July 1, 2025.

6 A proposed amendment to §217.50 would add the word “license” to modify “plate” for  
7 improved readability and clarity through consistent terminology. Another proposed amendment to  
8 §217.50 would delete the definition of highway construction project to remove unused, archaic  
9 language.

10 Proposed amendments to §217.51 would add the word “license” to modify “plate” for improved  
11 readability and clarity through consistent terminology.

12 Proposed amendments to §217.52 would add the word “license” to modify “plate” in multiple  
13 places to implement HB 718, and for improved readability and clarity through consistent terminology.

14 In addition, proposed amendments to §217.52(e)(3) would add the word “special” and the term  
15 “specialty license plate” in to implement HB 718 and clarify with consistent terminology. Proposed  
16 amendments to §217.52(h)(7) would remove references to “alphanumeric patterns” and instead use  
17 “department-approved alpha numeric license plate numbers” to implement HB 718 with consistent  
18 terminology. Amendments are also proposed for §217.52(h)(7) to replace the word “pattern” with  
19 “license plate number” and to add the word “license” to modify “plate” to implement HB 718 with  
20 consistent terminology. Additionally, proposed amendments to §217.52(h)(9) would add the word  
21 “license” to modify “plates” in several places to use consistent terminology for clarity. Amendments are  
22 proposed to §217.52(k) to add “specialty” to modify “license plate” for clarity with consistent use of  
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1 terminology, and to replace “will need to be remanufactured” with “may be remanufactured” for  
2 clarity and to provide flexibility. Proposed amendments to §217.52(k)(5) add “to law enforcement” to  
3 clarify where license plate numbers and license plates must be reported stolen. Proposed amendments  
4 to §217.52(l)(1) create consistent use of the term “specialty license plates” throughout the section to  
5 implement HB 718 and to align with the terminology used in other provisions of this chapter. A  
6 proposed amendment to §217.52(l)(1)(B) deletes the word “particular” as unnecessary language.  
7 Proposed amendments to §217.52(l)(2) would update terminology by adding “specialty license plate”  
8 number and “license plate” to replace “pattern” and “alphanumeric pattern” to implement HB 718 and  
9 to be consistent in the use of terminology throughout the chapter. Proposed amendments to  
10 §217.52(m) would add the word “license” to modify “plates” in multiple places to implement HB 718  
11 and to create consistency in terminology for clarity. Proposed amendments to §217.52(n)(1)(A) would  
12 clarify, implement HB 718, and create consistent use of terminology by replacing “pattern is an auction  
13 pattern” with “license plate number was purchased through auction.” In accordance with the effective  
14 date of HB 718, the amendments to §217.52 are proposed for a future effective date of July 1, 2025.

15 Proposed amendments to the §217.53 section title would substitute the word  
16 “disposition” for “removal” and add “or transfer” to implement HB 718 by broadening the heading  
17 language to incorporate allowing license plates to remain with the vehicle when it is sold or transferred,  
18 while the registration insignia is removed and disposed of. Proposed amendments to §217.53(a) would  
19 implement Transportation Code, §502.491 and §504.901, as amended by HB 718, clarifying that upon  
20 the sale or transfer of a motor vehicle to a dealer that holds a GDN, general issue license plates shall be  
21 removed and retained for issuance to a subsequent purchaser or transferor of that motor vehicle and  
22 the registration insignia shall be removed and disposed of by the dealer. Proposed amendments to  
23 §217.53(b) would implement Transportation Code, §502.491(b) and §504.901(b), as amended by HB  
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1 718, by clarifying that upon the sale or transfer of a motor vehicle in which neither party is a dealer, the  
2 registration insignia and the general issue license plates remain with the motor vehicle. Proposed new  
3 §217.53(c) would implement HB 718 and mitigate the risk of license plate fraud by providing that a  
4 license plate other than a general issue license plate shall be removed by the owner of a motor vehicle  
5 that is sold or transferred, and that removed license plates may be transferred if eligible; otherwise,  
6 must be disposed of in a manner that renders the license plate unusable or that ensures the license  
7 plates will not be available for fraudulent use on a motor vehicle. The proposed amendments would  
8 delete current §217.53(c) to remove language that is redundant with statute. Proposed amendments  
9 would create new §217.53(d) to implement HB 718 and to mitigate the risk of license plate fraud by  
10 requiring that a retail purchaser who chooses to obtain replacement general issue license plates dispose  
11 of the replaced license plates in a manner that renders the license plates unusable. In accordance with  
12 the effective date of HB 718, the amendments to §217.53 are proposed for a future effective date of July  
13 1, 2025.

14 Proposed amendments to §217.54(c)(2)(F) and §217.54(j) would modify the language to  
15 implement HB 3297 by replacing language regarding the state’s portion of the inspection fee with  
16 language regarding any inspection fee that is required to be collected at the time of registration under  
17 Transportation Code, §548.509 for the first year of registration under Transportation Code, §502.0023  
18 and on an annual basis thereafter for the remainder of the registration term.

19 A proposed amendment to §217.55(a) would use consistent terminology for clarity by adding the  
20 word “license” to modify “plate” in several places. Proposed amendments to §217.55(b)(5) would  
21 update the language and correct a cross-reference to clarify that an affidavit for alias exempt registration  
22 must be accompanied not by a regular title application, but instead by the specific, separate application

1 required by the department to create the alias record of vehicle registration and title as outlined in  
2 §217.13, relating to Alias Certificate of Title. Proposed amendments to §217.55(e)(3) and §217.55(e)(6)  
3 would modify the language to implement HB 3297 by replacing language regarding the state’s portion of  
4 the inspection fee with language regarding any inspection fee that is required to be collected at the time  
5 of registration under Transportation Code, §548.509 for the first year of registration under  
6 Transportation Code, §502.0025 and on an annual basis thereafter for the remainder of the registration  
7 term.

8 Proposed amendments to §217.56(b)(5) would update terminology by replacing “rejection  
9 letters” with “notices of determination” to better describe the department’s processes. A proposed  
10 amendment to §217.56(b)(6) would delete the word “permit” in accordance with the implementation of  
11 HB 718. A proposed amendment to §217.56(c)(2)(B) would incorporate by reference the January 1,  
12 2024, version of the International Registration Plan (IRP). Texas is bound by IRP, which is a vehicle  
13 registration reciprocity agreement between the 48 contiguous states, the District of Columbia, and the  
14 Canadian provinces. Section 217.56 must incorporate the latest edition of IRP because it contains  
15 language regarding the nature and requirements of vehicle registration under IRP. Texas is a member of  
16 IRP, as authorized by Transportation Code, §502.091 and 49 U.S.C. §31704, and must comply with the  
17 current edition of IRP. The jurisdictions that are members of IRP amended the January 1, 2022, version of  
18 IRP to create the January 1, 2024, version of the IRP.

19 A proposed amendment to §217.56(c)(2)(B) would also provide the online address where one  
20 can obtain a copy of the January 1, 2024, version of the IRP, as well as the January 1, 2016, version of the  
21 IRP Audit Procedures Manual and prior versions of both of these IRP documents. Because the  
22 department adopted documents by reference into an administrative rule, 1 TAC §91.40(e) requires the

1 department to maintain and distribute a copy of the documents to interested parties. In addition,  
2 proposed amendments to §217.56(c)(2)(B) would move the rule text regarding a request to the  
3 department for a copy of the documents and would delete rule text regarding the review of the IRP  
4 documents in the department’s Motor Carrier Division, which would allow the department to comply  
5 with 1 TAC §91.40(e) in the most efficient manner.

6 A proposed amendment to §217.56(c)(2)(M)(v) would replace “TxIRP” with “TxFLEET” because  
7 the department plans to rebrand the TxIRP system as the TxFLEET system in late August of this year. The  
8 department will refer to the system as the TxFLEET system throughout this preamble, except when  
9 summarizing a proposed amendment that would replace “TxIRP” with “TxFLEET.”

10

11 Subchapter C. Registration and Title Systems

12 Proposed amendments to §217.71(a)(3) would modernize language and improve readability by  
13 deleting unnecessary or archaic language.

14 Proposed amendments to §217.74 would implement Transportation Code, §520.0055, created  
15 by HB 718, which requires all motor vehicle dealers to use the webDEALER system to submit title and  
16 registration applications for purchasers after July 1, 2025. A proposed amendment to the title of §217.74  
17 would revise the section title to “webDEALER Access, Use, and Training” to accurately reflect the scope  
18 of the section. Proposed amendments to §217.74(c) would implement HB 718 by making it required,  
19 rather than discretionary, for all motor vehicle dealers who hold a GDN to get access to webDEALER, and  
20 by requiring that all active holders must obtain access to webDEALER prior to July 1, 2025. To ensure  
21 that all dealers are able to meet the deadline of July 1, 2025, proposed amendments to §217.74(c)

1 would allow the department to provide dealers access to webDEALER in the county where the dealer is  
2 located without waiting for a county tax-accessor to process the dealer’s application and provide access.  
3 Proposed amendments to §217.74(e) would add an “entity” to the webDEALER users that may have their  
4 authorization to use webDEALER revoked, rescinded, or cancelled to allow the department to cancel the  
5 access of tax accessor-collectors and their deputies or employees who abuse their access to webDEALER  
6 to perpetuate fraud or other wrongdoing. Proposed new §217.74(g) would require that all existing  
7 webDEALER users who process title and registration transactions through webDEALER complete training  
8 by April 30, 2025, and that all new webDEALER users created on or after April 30, 2025, must complete  
9 webDEALER training before being given webDEALER permissions. New proposed §217.74(g)(1) provides  
10 that the required webDEALER training will include, at a minimum, training regarding transactions  
11 performed in webDEALER and proper use of the system. The proposed amendments to new  
12 §217.74(g)(2) provide for an exemption from webDEALER training for holders who have had access to  
13 webDEALER for more than six months and who have submitted more than 100 transactions within the  
14 system as of October 1, 2024. The proposed amendments to new §217.74(g)(3) provide that the failure  
15 of holders and users to complete the required webDEALER training shall result in denial of access to  
16 webDEALER. These proposed amendments to §217.74 would implement HB 718 by ensuring that  
17 webDEALER users are appropriately trained and given access to the webDEALER system before the July  
18 1, 2025, effective date for mandatory webDEALER use by all dealers.

19 Proposed amendments would delete §217.75(c)(5), which references training required by  
20 August 31, 2020, because it is outdated. The remaining subsections in §217.75 would be renumbered  
21 accordingly. Proposed amendments to renumbered §217.75(c)(5) would remove “after August 31, 2020”  
22 because it is outdated and unnecessary.



1

2 Subchapter D. Nonrepairable and Salvage Motor Vehicles.

3 Proposed amendments throughout the entire Subchapter D recommend the elimination of the  
4 hyphen for the term “non-repairable” to align the structure of that same term as used in Transportation  
5 Code, Chapter 501 for consistency. Additional proposed amendments throughout the subchapter would  
6 add the phrase “nonrepairable or salvage record of title” to each mention of nonrepairable or salvage  
7 vehicle title to account for the department’s statutory authority under Transportation Code, Chapter 501  
8 to issue electronic titles for nonrepairable and salvage motor vehicles and the department’s current  
9 practice of issuing electronic versions of nonrepairable and salvage vehicle titles in lieu of paper titles at  
10 the request of applicants.

11 Proposed amendments to §217.81 would clarify wording by replacing “certificates of” with  
12 “titles” and adding “motor” to describe nonrepairable, salvage and rebuilt salvage motor vehicles. The  
13 proposed changes would provide consistency in the terms used throughout §217.81 to describe the  
14 purpose and scope of the subchapter.

15 Proposed amendments to §217.82 would define terms with the definitions of those same terms  
16 provided in Transportation Code, §501.002 and §501.091 for purposes of consistency: “casual sale,” as  
17 defined in Transportation Code, §501.091(2); “certificate of title” as defined by Transportation Code,  
18 §501.002(1-a); “damage” as defined by Transportation Code, §501.091(3); “insurance company” as  
19 defined by Transportation Code, §501.091(5); “metal recycler” as defined by Transportation Code  
20 §501.091(7); “nonrepairable vehicle title” as defined by §501.091(10) in §217.82(14); “out-of-state  
21 buyer” as defined by Transportation Code, §501.091(11); “salvage vehicle dealer” as defined by  
22 Transportation Code, §501.091(17); and “salvage vehicle title” as defined by Transportation Code,  
23 §501.091(16). Proposed amendments to §217.82 would create a new §217.82(15) and §217.82(23) to

1 add the defined terms “nonrepairable record of title” and “salvage record of title”, respectively. These  
2 terms are used throughout the subchapter and the proposed definitions align with their use and  
3 meaning in Transportation Code, Chapter 501. Current §217.82(15) through §217.82(21) would be  
4 renumbered accordingly based on the addition of proposed new §217.82(15). A proposed amendment  
5 to §217.82(18) would delete “certificate of” and “regular certificate of” from the defined term “Rebuilt  
6 salvage certificate of title” to account for the department’s current practice of issuing electronic or paper  
7 titles and is consistent with the standalone term “title” that is defined in Transportation Code, Chapter  
8 501 to encompass both electronic and paper versions of a motor vehicle title. A proposed amendment to  
9 §217.82(19) would move “is” under §217.82(19)(A) to §217.82(19)(A)(i) and delete “damaged and” from  
10 §217.82(19)(A)(ii) to conform the definition of “salvage motor vehicle” to the definition of the same term  
11 provided in Transportation Code, §501.091(15) as the statutory definition does not specify that a salvage  
12 motor vehicle coming into the state on an out of state title to evidence damage.

13           The proposed amendment to §217.83(a)(2) would make a minor change by substituting “any”  
14 for “alternate” to account for all methods developed and commonly used by insurance companies to  
15 assess the condition of a motor vehicle to determine if the motor vehicle should be classified as a  
16 nonrepairable motor vehicle. The proposed amendment to §217.83(b)(1) would delete “certificate of”  
17 as the term “certificate of title” is limited to paper titles, but the department issues both paper and  
18 electronic versions of titles that are more accurately captured with the standalone term of “title”. The  
19 proposed repeal of §217.83(c)(1) would eliminate text specifying a Texas title requirement for a motor  
20 vehicle retained by an owner that becomes classified as a nonrepairable or salvage motor vehicle as this  
21 requirement conflicts with Transportation Code, §501.1002 where no such requirement is specified for  
22 an owner-retained motor vehicle and eliminates an introductory language that is inconsistent with the  
23 subsection. The proposed amendment to §217.83(c)(2) would clarify the method required for insurance

1 companies to submit owner-retained motor vehicle notice forms to the department by specifying that it  
2 be submitted to the department through the department’s electronic system known as webDEALER. The  
3 department’s infrastructure and operations have been modernized and this proposed amendment  
4 provides guidance to insurance companies on the proper filing method for such forms. The proposed  
5 repeal of §217.83(c)(5) would eliminate text that is duplicative of the text in §217.83(c)(3) and  
6 §217.83(c)(4) that prohibits the transfer of owner-retained motor vehicles that become classified as  
7 nonrepairable or salvage motor vehicles without owners first securing the respective titles for the motor  
8 vehicles. Proposed amendments to §§217.83(c)(2), 217.83(c)(3), 217.83(c)(4), and 217.83(c)(6) would  
9 be renumbered based on the proposed repeal of §§217.83(c)(1) and 217.83(c)(5).

10         The proposed amendment to §217.84(b)(5) would expand the description of damage to a motor  
11 vehicle in an application for a nonrepairable or salvage vehicle title by requiring the applicant to identify  
12 the major component parts that need to be repaired or replaced on the vehicle. The proposed  
13 amendment would deter fraudulent activity by providing the department the means to compare the  
14 information provided in the proposed updated form to an application submitted to the department  
15 requesting a rebuilt salvage certificate of title for the same vehicle. The proposed amendment to  
16 §217.84(b)(8) would delete “certificate of” as part of the description of the application form to align with  
17 the defined terms for nonrepairable and salvage title specified in Transportation Code, §501.091 and  
18 §217.82 of this subchapter that do not include the term “certificate of”. The proposed amendments to  
19 §217.84(d)(1)(A) and (B) would delete “certificate of” from “Texas Certificate of Title” to rephrase the  
20 term as “Texas Title”. The deletion of “certificate of” would align with the department’s current practice  
21 of issuing both paper and electronic versions of titles that is more accurately captured with the  
22 standalone term “title,” which is defined in Transportation Code, Chapter 501 to encompass electronic  
23 and paper titles. The proposed amendments to §217.84(d)(1)(E) and (F) would add the phrase “or

1 record of title” to account for the electronic versions of a title for a nonrepairable or salvage motor  
2 vehicle. The proposed amendment to §217.84(d)(3) would delete the words “vehicle title” from “salvage  
3 vehicle title” to create a new phrase of “salvage or nonrepairable vehicle title,” which is used throughout  
4 the subchapter for ease of reading. The proposed amendment to §217.84(d)(4) would delete the text  
5 and replace it with a reference to Transportation Code, §501.0935, as the deleted text is duplicative of  
6 the text in statute and is therefore unnecessary. The proposed amendment to §217.84(f)(3)(B) would  
7 delete “certificate of” from the term “regular certificate of title” to be consistent with term “regular  
8 title,” as specified in Transportation Code, §501.9112(b)(A).

9         The proposed amendment to §217.85(b) would delete “certificate of” as the term “certificate of  
10 title” is limited to paper titles, but the department issues both paper and electronic versions of titles that  
11 is more accurately captured with the standalone term of “title”.

12         The proposed amendments to §217.86 would create a new §217.86(d) that would require a  
13 receipt from the department evidencing the surrender of ownership documents for a vehicle transferred  
14 to a metal recycler as specified in §217.86(c) and a department-prescribed form detailing the transfer.  
15 The proposed amendment would ensure vehicles delivered to metal recyclers follow the requirements  
16 set out in §217.86(a)-(c) as a prerequisite to their dismantling, scrapping or destruction, as well as to  
17 ensure proper documentation of the transfer and surrender of the receipt for purposes of reporting such  
18 information to the department by the metal recycler. The proposed amendments to §§217.86(d),  
19 217.86(e) and 217.86(f) would re-letter the provisions to §§217.86(e), 217.86(f) and 217.86(g) based on  
20 the addition of proposed new §217.86(d). Also, a proposed amendment to current §217.86(f) would  
21 clarify that the 60-day period for reporting to the department the delivery of a vehicle for dismantling,  
22 scrapping or destruction begins upon the delivery of the vehicle to the metal recycler to be consistent  
23 with the deadline set out in Transportation Code, §501.107.

1           The proposed repeal of §217.87 would eliminate text that is duplicative to Transportation Code,  
2 §501.09111 and is therefore unnecessary.

3           The proposed amendment to §217.88(a) would add the phrase “Sale, transfer or release with” to  
4 the title of the subsection to clarify the scope of it. The proposed amendments to §217.88(b) would add  
5 the phrase “Sale, transfer or release without” to the title of the subsection to clarify the scope of it and  
6 would delete the remaining text for the subsection and replace it with a reference to Transportation  
7 Code, §501.095(a) as the deleted text is duplicative to the text in statute and is therefore unnecessary.  
8 The proposed amendment to §217.88(d) would incorporate a reference to Transportation Code,  
9 §501.091(2)(A-C) to exempt those persons not subject to the numerical limit for casual sales. This  
10 proposed amendment would acknowledge these persons or entities are not subject to the limitations of  
11 the rule provided the sales are consistent with the requirements specified in the statute. The proposed  
12 amendment to §217.88(e)(1)(D) would delete the existing description for a photo identification and add  
13 a reference to the list of current photo identifications provided in §217.7(b). The proposed amendment  
14 provides consistency throughout Chapter 217 as to what forms of current photo identification are  
15 acceptable to the department for purposes of the titling and/or registration of motor vehicles. The  
16 proposed amendment to §217.88(g)(1) would add a three-year retention requirement for export-only  
17 sales records to align with the records retention requirement specified in Transportation Code,  
18 §501.099(g). The proposed amendment to §217.88(g)(2)(C) would delete the existing description for a  
19 photo identification and add a reference to the list of photo identifications provided in §217.88(f)(1)(B).  
20 The proposed amendment would provide consistency as to what photo identifications are acceptable to  
21 the department for purposes of export-only sales of motor vehicles. The proposed amendments to  
22 §217.88(g)(2)(E) would delete certain data collection items from the export-only sale list and renumber  
23 the list accordingly, to align with the requirements provided in Transportation Code, §501.099(g)(2).

1 Proposed amendments throughout §217.89 would delete the words “certificate of” from the  
2 phrase “rebuilt salvage certificate of title” to read “rebuilt salvage title”. These proposed amendments  
3 would account for the department’s current practice of issuing electronic or paper titles and is consistent  
4 with the standalone term “title” that is defined in Transportation Code, Chapter 501 that encompasses  
5 electronic and paper versions of a motor vehicle title. The proposed amendments to §§217.89(a),  
6 217.89(d), 217.89(f), and 217.89(g) would delete “certificate of” from the phrase “certificate of title” as  
7 the term “certificate of title” is limited to paper titles, while the department issues both paper and  
8 electronic versions of titles, which are more accurately captured with the standalone term of “title”. The  
9 proposed repeal of §217.89(d)(3), which requires the submission of a motor vehicle safety inspection, is  
10 necessary to comply with amendments to Transportation Code, Chapter 548 as amended by HB 3297,  
11 which eliminated the mandatory motor vehicle safety inspections in the state. Proposed amendments to  
12 §217.89(d)(4) through §217.89(d)(7) would be renumbered accordingly based on the repeal of  
13 §217.89(d)(3). An additional proposed amendment to current §217.89(d)(5) would qualify the  
14 requirement for submitting proof of financial responsibility in those instances where the vehicle would  
15 be registered at the time of application. The proposed amendment would clarify that such proof is not  
16 required where the application seeks only to retitle the vehicle without registration. An additional  
17 proposed amendment to current §217.89(d)(6) would delete the requirement for attaining a motor  
18 vehicle inspection report for vehicles last titled or registered in another state or country. The proposed  
19 amendment would also clarify the requirement for motor vehicles last titled or registered in another  
20 country to secure a VIN inspection and require those vehicles last titled or registered in another state to  
21 submit a form as referenced by §217.4(d)(4) that would self-certify the VIN. The proposed amendments  
22 to §217.89(d)(5) are necessary to comply with HB 3297, which eliminated the mandatory motor vehicle  
23 safety inspections in the state. The amendments also ensure that motor vehicles being brought into the

1 state from another state or country are in alignment with the statutory requirements set out for VIN  
2 inspections under Transportation Code, §501.030 and §501.032. The proposed amendment to  
3 §217.89(e)(1) would add the phrase “or record title” to account for the electronic version of a title for a  
4 salvage motor vehicle. The proposed amendment to §217.89(e)(2) would substitute “does” for “may” as  
5 it pertains to what is considered evidence ownership for a rebuilt salvage motor vehicle. This proposed  
6 amendment would conform to the requirements set out in Transportation Code, Chapters 501 and 683  
7 that prohibit the items listed in this subsection as qualifying as evidence of ownership for a rebuilt  
8 salvage motor vehicle. The proposed amendment to §217.89(g) would delete “on its face” as being  
9 unnecessary language. In accordance with the effective date of HB 3297, the amendments to §217.89  
10 are proposed for a future effective date of January 1, 2025.

11

#### 12 Subchapter E. Title Liens and Claims

13 A proposed amendment to §217.106 would add language providing a citation to Transportation  
14 Code, §501.115, which governs the time limits for a lienholder to provide a discharge of lien after  
15 receiving final payment. The proposed amendment to §217.106 would add clarity, ease of reference, and  
16 improved guidance to the public.

17

#### 18 Subchapter F. Motor Vehicle Records

19 Proposed amendments to §217.122(b)(2) would add a citation to Transportation Code,  
20 §730.003(5) to define “person” for clarity and consistency between the rules and statutes.

21 A proposed amendment to §217.123(b)(5) would delete a concealed handgun license as a  
22 method of current identification for a requestor of motor vehicle records as a concealed handgun  
23 license is no longer required by law. Proposed amendments to §217.123(c)(3) would align this section

1 with statute by requiring a law enforcement requestor seeking personal information from agency  
2 records to identify its intended use or the agency’s incident or case number for which the personal  
3 information is needed. Proposed amendments would create new §217.123(e)(1)(D) and (E) to require a  
4 requestor of the department’s motor vehicle records to provide in its application for a service  
5 agreement copies of agreements used by the requestor to release motor vehicle record information to  
6 third parties, and any additional material provided to third party requestors detailing the process in  
7 which they obtain motor vehicle record information and describing their limitations as how this  
8 information may be used, to ensure that requestors are in compliance with the limitations on the use of  
9 personal information under Transportation Code, Chapter 730. The remaining subsections of  
10 §217.123(e)(1) are proposed to be relettered accordingly. Proposed new §217.123(e)(2) clarifies that  
11 the department will not enter into a service agreement to release motor vehicle record information if it  
12 determines any of the information provided in an application is incomplete, inaccurate, or does not  
13 meet statutory requirement, to protect the confidentiality of motor vehicle records from misuse or  
14 inappropriate disclosure. Proposed new §217.123(f)(1)(D) and (E) would require requestors of bulk  
15 records to provide in an application for a bulk contract copies of agreements used by the requestor to  
16 release motor vehicle record information to third parties, and any additional material provided to third  
17 party requestors detailing the process through which they obtain motor vehicle record information and  
18 describing their limitations as to how this information may be used, to ensure that requestors are in  
19 compliance with the limitations on the use of personal information under Transportation Code, Chapter  
20 730. The remaining subsections of §217.123(f)(1) are proposed to be numbered accordingly. Proposed  
21 new §217.123(f)(2) would provide that the department will not enter into a bulk contract to release  
22 motor vehicle record information if the department determines any of the information provided by a  
23 requestor is incomplete, inaccurate, or does not meet statutory requirements, to protect the



1 confidentiality of motor vehicle records from misuse or inappropriate disclosure. The remaining  
2 subsections of §217.123(f) are proposed to be renumbered accordingly.

3 Proposed amendments to §217.124(e) would add “federal governmental entities” as being  
4 exempt from the payment of fees except for the fees listed in §217.124(d)(1), (6), or (8), to expedite and  
5 streamline the delivery of documents to federal government entities. Proposed amendments to  
6 §217.124(f) would add an “a” before “reciprocity,” delete the “s” in agreements, replace “other” with  
7 “another” before “governmental,” and replace “entities” with “entity” to improve readability and to use  
8 consistent terminology.

9 A proposed amendment to §217.125(b)(2) would add the word “proof” where it was  
10 inadvertently left out of the rule to make the sentence comprehensible. Another proposed amendment  
11 to §217.125(b)(2) would clarify that a requestor who is not yet involved in litigation must be in  
12 anticipation of litigation that would necessitate the release of the documents requested, to limit the  
13 unnecessary release of confidential motor vehicle records and the resulting potential for misuse of  
14 personal information. Proposed amendments to §217.125(b)(3), to further limit the inappropriate  
15 release of confidential motor vehicle records, would replace the requirement that a requestor prove  
16 they are “in a researching occupation” with a more specific requirement that the requestor is  
17 “employed by an entity in the business of conducting research related to the requested information,”  
18 and would give the department discretion to determine whether the employment is valid and the  
19 business research sufficiently related to the requested information.

20 A proposed amendment to §217.129(a) would add a citation to Transportation Code §730.005  
21 and §730.006 for clarity and ease of reference. A proposed amendment to §217.129(c) would add “has  
22 previously been terminated” to align with the title of §217.130, relating to Approval for Persons Whose  
23 Access to Motor Vehicle Records has Previously Been Terminated.

1           A proposed amendment to §217.131 would delete current §217.131(a) and combine the  
2 language “previously received personal information from the department” into current §217.131(b) to  
3 streamline the rule and improve readability. The remaining subsections of §217.131 are proposed to be  
4 relettered accordingly.

5

6 Subchapter G. Inspections.

7           The proposed amendment to §217.143(c) would add a reference to Transportation Code,  
8 §731.102 to the inspection requirements for an assembled vehicle. This proposed amendment would  
9 clarify the minimum requirements set forth in statute that must be met to evaluate the function and  
10 structural integrity of an assembled vehicle. The proposed amendment to §217.143(g) would substitute  
11 “any applicable” for “an” as it pertains to an inspection or reinspection of an assembled vehicle under  
12 Transportation Code, Chapter 548. The proposed amendment is necessary to comply with amendments  
13 to Transportation Code, Chapter 548 by HB 3297, which eliminated the mandatory motor vehicle safety  
14 inspections in the state.

15           Proposed amendments to §217.144 would create new §217.144(b) and move the existing text in  
16 §217.144 under §217.144(a). These amendments would restructure §217.144 for ease of reading to  
17 separate text addressing the training for inspectors from text addressing the outcome of identification  
18 number inspections. Proposed new §217.144(b) would prohibit the department from titling or  
19 registering a motor vehicle where the inspector is unable to ascertain the motor vehicle’s make or year  
20 of manufacture and would further prohibit a motor vehicle being classified as an assembled, homemade,  
21 or shop vehicle where the inspection is unable to determine the vehicle’s make or year of manufacture.

1 The proposed amendment clarifies the department’s existing interpretation of Transportation Code,  
2 Chapter 501 and the department’s existing practices and procedures for identification number  
3 inspections performed on motor vehicles that are subject to such inspections under Transportation  
4 Code, §501.032. The proposed amendments align those interpretations and practices to provide  
5 guidance to the public on the requirements and consequences associated with a motor vehicle’s identity.

6

7 Subchapter H. Deputies.

8 A proposed amendment to §217.161 would remove unnecessary transition language regarding a  
9 deputy appointed under Transportation Code, §520.0071, on or before December 31, 2016. House Bill  
10 (HB) 2202 and HB 2741, 83<sup>rd</sup> Legislature, Regular Session, 2013, added Transportation Code, §520.0071  
11 and repealed Transportation Code, §§520.008, 520.009, 520.0091 and 520.0092, effective September 1,  
12 2013. Both HB 2202 and HB 2741 stated that a deputy appointed under Transportation Code, §520.0091  
13 on or before August 31, 2013, may continue to perform the services authorized under Transportation  
14 Code, §§520.008, 520.009, 520.0091 and 520.0092 until the effective date of rules adopted by the board  
15 regarding the types of deputies authorized to perform titling and registration duties under  
16 Transportation Code, §520.0071 as added by HB 2202 and HB 2741. The board adopted rules under  
17 Transportation Code, §520.0071, effective March 12, 2015; however, §217.161 authorized a deputy  
18 appointed under Transportation Code, §520.0071 on or before December 31, 2016, additional time to  
19 comply with the rules. All deputies were required to comply with the new and amended rules regarding  
20 deputies, beginning on January 1, 2017. A proposed amendment to §217.161 would also remove the  
21 unnecessary reference to January 1, 2017.

1           A proposed amendment to §217.166(h) would allow a county tax assessor-collector to set a  
2 maximum number of webDEALER transactions for a dealer deputy based on the deputy’s bond amount,  
3 to limit the risk of fraud or theft by a dealer deputy in excess of the amount of the bond.

4           A proposed amendment to §217.168(b)(1) would add the word “county” before the term “tax  
5 assessor-collector” to make the terminology consistent throughout Chapter 217. A proposed  
6 amendment to §217.168(b)(1) would also create a new subparagraph (A) for the second sentence in  
7 §217.168(b)(1) due to the proposed addition of new §217.168(b)(1)(B), which would clarify that title  
8 transaction fees collected by full service deputies authorized by a county tax assessor-collector can be  
9 assessed on webDEALER title transactions where the full service deputies have been approved by a  
10 county tax assessor-collector to approve title transactions through webDEALER. The proposed  
11 amendment is necessary to address and account for the influx of title transactions due to the new  
12 requirement of Transportation Code, §520.0055, as amended by HB 718, that dealers holding a GDN use  
13 webDEALER for filing title transactions.

14           A proposed amendment to §217.168(d) would replace terminology related to one-trip permits  
15 and 30 day permits under Transportation Code, §502.095 with terminology describing one-trip license  
16 plates and 30-day license plates, to implement the license plate requirements of HB 718. In accordance  
17 with the effective date of HB 718, the amendments to §217.168 are proposed for a future effective date  
18 of July 1, 2025. A proposed amendment to §217.168(d) would also replace the word “temporary” with  
19 the term “special registration” for consistency with the terminology in §217.40(b) regarding the category  
20 of “special registration permits” under Transportation Code, §502.094, which are called 72-hour permits  
21 and 144-hour permits. In addition, proposed amendments to §217.168(d) would reduce the amount of  
22 the processing and handling fee that a full service deputy may retain for special registration permits and

1 special registration license plates under Transportation Code, §502.094 and §502.095 from \$4.75 to  
2 \$4.25. These proposed amendments to §217.168(d) would provide that \$0.50 of the processing and  
3 handling fee would be remitted to the department by citing to the formula established by §217.185(b),  
4 which the department is also proposing to amend in this proposal. This proposed amendment to  
5 §217.168(d) is necessary for the department to comply with Transportation Code, §502.356, which  
6 requires the board by rule to adopt a fee (automation fee) of not less than \$0.50 and not more than  
7 \$1.00 that shall be collected in addition to registration fees and deposited into a subaccount in the Texas  
8 Department of Motor Vehicles fund. Section 502.356 specifies how the department may use the  
9 automation fee to provide for or enhance the automation of and the necessary infrastructure for certain  
10 services and procedures. The board established the automation fee at \$0.50 under §217.72(c).  
11 Transportation Code, §502.1911(b) requires the board by rule to include the automation fee that is  
12 established under Transportation Code, §502.356 in the processing and handling fee for registration  
13 transactions. Therefore, \$0.50 of each processing and handling fee must be remitted to the department.

14

15 Subchapter I. Fees.

16 A proposed amendment to Subchapter I would update the title of the subchapter by adding the  
17 words “Processing and Handling” to read “Processing and Handling Fees,” to more accurately describe  
18 the content and scope of the subchapter. A proposed amendment to §217.181 would replace the word  
19 “fee” with the word “fees” because Subchapter I prescribes the department’s processing and handling  
20 fees authorized by Transportation Code, §502.1911. Section 217.183 includes two processing and  
21 handling fees, which are more fully described in the summary of proposed amendments to §217.183.

1 Proposed amendments to §217.181 would also amend other words to ensure that there is subject-verb  
2 agreement between the word “fees” and the applicable verbs.

3 Proposed amendments to §217.182(1) would add the term “special registration license plate”  
4 and the words “special registration” to modify the word “permit” to clarify that each constitutes a  
5 “registration transaction,” and would implement HB 718, which requires the department to issue license  
6 plates rather than paper permits, with consistent use of terminology across the chapter. In accordance  
7 with the effective date of HB 718, the amendments to §217.182 are proposed for a future effective date  
8 of July 1, 2025.

9 Proposed amendments to §217.183 would clarify that the department charges two different  
10 processing and handling fees under Transportation Code, §502.1911: 1) a flat fee of \$4.75 for a  
11 registration transaction that is processed outside of the department’s TxFLEET system; and 2) \$4.75 plus  
12 the applicable service charge for each registration transaction processed through the TxFLEET system.  
13 Transportation Code, §502.1911(b)(2) requires the board by rule to set the applicable processing and  
14 handling fee in an amount that is sufficient to cover the expenses associated with collecting the  
15 registration fees. The applicable service charge for a registration transaction processed through the  
16 TxFLEET system is the fee that the Texas Department of Information Resources (DIR) sets under  
17 Government Code, §2054.2591, which states that a state agency may charge such fee for a transaction  
18 that uses the state electronic Internet portal project. The department uses the state electronic Internet  
19 portal project for the payment engine for the TxFLEET system as required by Government Code,  
20 §2054.113. The department must pass the DIR fee to the registration applicant to comply with  
21 Transportation Code, §502.1911(b)(2).

1           Although the department included the DIR fee in the processing and handling fee of \$4.75 for a  
2 registration transaction that is processed outside of the TxFLEET system, the department did not include  
3 the DIR fee in the \$4.75 charge that is a portion of the processing and handling fee for a registration  
4 transaction that is processed through the TxFLEET system. For a registration transaction that is processed  
5 through the TxFLEET system, the processing and handling fee consists of the \$4.75 charge plus the DIR  
6 fee, which is generally represented by the following mathematical formula: 2.25 percent plus \$0.25 for  
7 each credit card or debit card transaction processed. However, \$0.25 is added to the amount of the  
8 underlying fee prior to multiplying that amount by 2.25 percent, and an additional \$0.25 is added to that  
9 calculation to compute the DIR fee. For example, if the underlying fee is \$100.00 (including the \$4.75  
10 charge), the DIR fee would be \$2.51, which would result in a total cost of \$102.51 for the registration  
11 transaction.

12           The registration fees for the vehicle registration transactions that are processed through the  
13 TxFLEET system are typically more expensive than vehicle registration transactions that are processed  
14 outside of the TxFLEET system. For example, Transportation Code, §502.0023 authorizes the extended  
15 registration of commercial fleet vehicles for up to an eight-year term for which the applicant must pay all  
16 registration fees, as well as all other applicable fees, for the selected term at the time of registration. In  
17 addition, a commercial fleet could include vehicles with a gross weight that exceeds 6,000 pounds.  
18 Transportation Code, §502.252 states that the fee for a registration year for registration of a vehicle with  
19 a gross weight of 6,000 pounds or less is \$50.75, unless otherwise provided by Transportation Code,  
20 Chapter 502. Transportation Code, §502.253 provides a fee schedule for a registration year for  
21 registration of a vehicle with a gross weight of more than 6,000 pounds, unless otherwise provided by  
22 Transportation Code, Chapter 502. The fee schedule in Transportation Code, §502.253 provides a fee for

1 seven different ranges of weight classifications based on pounds, starting with a fee of \$54.00 for a  
2 vehicle that falls within the weight classification of 6,001 pounds through 10,000 pounds and ending  
3 with a fee of \$840.00 for a vehicle that falls within the weight classification of 70,001 through 80,000  
4 pounds. If an applicant wanted to register 12 fleet vehicles for a five-year term under Transportation  
5 Code, §502.0023, the DIR fee would greatly exceed \$4.75.

6 Proposed amendments to §217.183 would also separate the language by adding subsections (a)  
7 through (c) to provide clarity. Proposed new §217.183(a) would contain the current language regarding  
8 the processing and handling fee that is \$4.75 for a registration transaction that is not processed through  
9 the TxFLEET system. Proposed new §217.183(a) would also clarify that the language is subject to the  
10 language in new subsections (b) and (c). Proposed new §217.183(a) would also modify the rule text to  
11 state that certain registration transactions are exempted by §217.184. Proposed new §217.183(b) would  
12 replace the existing language with clarified language to describe the processing and handling fee that  
13 applies to a registration transaction that is processed through the TxFLEET system. Proposed new  
14 §217.183(b) would also clarify that it is subject to the language in new subsection (c) and the exemptions  
15 under §217.184. Proposed new §217.183(c) would separate existing rule text that explains that the  
16 department shall only collect the processing and handling fee on the registration transaction if the  
17 transaction includes both registration and issuance of a license plate or specialty plate.

18 Proposed amendments to §217.184 would replace the word “fee” with the word “fees” because  
19 Subchapter I prescribes the department’s processing and handling fees authorized by Transportation  
20 Code, §502.1911. Section 217.183 includes two processing and handling fees, which are more fully  
21 described in the summary of proposed amendments to §217.183.



1           A proposed amendment to the title of §217.185 would change the word “Fee” to “Fees” and a  
2 proposed amendment to §217.185(a) would change the word “amount” to “amounts” because the  
3 department has two different processing and handling fees under §217.183. Proposed amendments to  
4 §217.185(a)(1) would also combine language in §217.185(a)(1) and §217.185(a)(2) for consistency and  
5 ease of understanding without changing the meaning. A proposed amendment to current §217.185(a)(2)  
6 would delete the paragraph to remove redundancy, and renumber the remaining paragraphs  
7 accordingly. A proposed amendment to renumbered §217.185(a)(2) would replace “TxIRP” with  
8 “TxFLEET” because the department plans to rebrand the TxIRP system as the TxFLEET system in late  
9 August of this year.

10           A proposed amendment to renumbered §217.185(a)(3) would replace a reference to the  
11 department’s online registration portal with a reference to Texas by Texas (TxT) or the department’s  
12 Internet Vehicle Title and Registration Service (IVTRS) because the department currently provides the \$1  
13 discount if the registration transaction was processed through either one of these systems.

14           A proposed amendment to §217.185(b) would delete the reference to Transportation Code,  
15 §502.092 because HB 718 repeals §502.092, effective July 1, 2025. A proposed amendment to  
16 §217.185(b) would also clarify the rule by specifying the allocation of the \$4.75 processing and handling  
17 fee collected by entities that process applications for special registrations under Transportation Code,  
18 §§502.093 - 502.095. Proposed amendments to §217.185(b) would further provide that the \$0.50  
19 remainder of the processing and handling fee would be remitted to the department. This proposed  
20 amendment is necessary for the department to comply with Transportation Code, §502.356, which  
21 requires the board by rule to adopt an automation fee of not less than \$0.50 and not more than \$1.00  
22 that shall be collected in addition to registration fees and deposited into a subaccount in the Texas

1 Department of Motor Vehicles fund. Section 502.356 specifies how the department may use the  
2 automation fee to provide for or enhance the automation of and the necessary infrastructure for certain  
3 services and procedures. The board established the automation fee at \$0.50 under §217.72(c).  
4 Transportation Code, §502.1911(b) requires the board by rule to include the automation fee that is  
5 established under Transportation Code, §502.356 in the processing and handling fee for registration  
6 transactions. Therefore, \$0.50 of each processing and handling fee must be remitted to the department.  
7 Other amendments to §217.185(b) would replace the word “temporary” with the words “special  
8 registration” to describe the referenced permit, and would add the words “special registration license  
9 plate” to implement HB 718 and to ensure consistent use of terminology across the chapter. In  
10 accordance with the effective date of HB 718, the amendments to §217.185 are proposed for a future  
11 effective date of July 1, 2025.

12

13 Subchapter J. Performance Quality Recognition Program.

14 The proposed amendment to §217.205(e) would replace the current deadline of 90 calendar  
15 days for the department’s decision to award or deny a service recognition in response to an application  
16 from a county tax assessor-collector’s office by specifying a reoccurring annual deadline of December 31.  
17 The proposed amendment would streamline the department’s process and allow the department more  
18 flexibility to address all submitted applications in a timely and efficient manner without sacrificing the  
19 quality of the review based on the current deadline structure.

20

21 Subchapter L. Assembled Vehicles

1           A proposed amendment to §217.404 (a) deletes the phrase “prior to applying for title” because  
2 this phrase is unnecessary and to clarify that an application for title for an assembled vehicle is part of  
3 the process for an applicant applying for title. A proposed amendment to §217.404 (b) would add the  
4 phrase “under Transportation code, Chapter 731” to clarify that applications for assembled vehicles are  
5 required to comply with that chapter.

6           **FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT.** Glenna Bowman, Chief Financial Officer,  
7 has determined that for each year of the first five years the proposed amendments, new section and  
8 repeal will be in effect, there will be no significant fiscal impact to state or local governments as a result  
9 of the enforcement or administration of the proposal. The proposed amendment to §217.185 to comply  
10 with Transportation Code, §502.356, which requires county tax assessor-collectors to remit \$.50 per  
11 transaction under Transportation Code, §§502.093-502.095 to the department, will cause tax assessor-  
12 collectors state-wide to remit to the department a collective state-wide total of approximately \$259,151  
13 per year for approximately 518,302 transactions per year for the first five years the rule is in effect.

14           Annette Quintero, Director of the Vehicle Titles and Registration Division, has determined that there will  
15 be no significant impact on local employment or the local economy as a result of the proposal. **PUBLIC**

16           **BENEFIT AND COST NOTE.** Ms. Quintero has also determined that for each year of the first five years  
17 the proposed amended sections, new rule and repeals are in effect, the anticipated public benefit as a  
18 result of enforcing or administering the amendments and repeals will be the simplification, clarification,  
19 and streamlining of agency rules, a reduction in the opportunity for license plate fraud, and a reduction  
20 in the opportunity for misuse of the confidential personal information captured in motor vehicle records.

21           Anticipated Cost to Comply with the Proposal. Ms. Quintero anticipates that there will be no  
22 costs to comply with the proposed amendments, new rule and repeals.

1 **ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** As required by  
2 Government Code, §2006.002, the department has determined that the proposed amendments, new  
3 rule and repeals will not have an adverse economic impact on small businesses, micro-businesses, and  
4 rural communities because there are no anticipated economic costs for persons required to comply with  
5 the proposed amendments and repeals. While the proposed amendment to §217.185 to comply with  
6 Transportation Code, §502.356 will require county tax assessor-collectors to remit \$.50 per transaction  
7 under Transportation Code, §§502.093-502.095 to the department, it will not impact rural communities  
8 because county governments are not within the definition of “rural communities” under Government  
9 Code, §2006.001(1-a). Additionally, even assuming that all full-service deputies assisting county tax  
10 assessor-collectors in collecting fees are either small businesses or micro-businesses under Government  
11 Code, §2006, the impact of remitting \$.50 per qualifying transaction to the department will be de  
12 minimis, since the collective state-wide total fiscal impact from the amendment to §217.185 of  
13 approximately \$259,151 per year will be spread over the state’s 254 counties, only some of which use  
14 full-service deputies. Therefore, not all transactions go through the deputies, minimizing the impact of  
15 the amendment on the full-service deputies. Since the amendment to §217.185 will not create a  
16 significant adverse economic impact on the full-service deputies’ small or micro-businesses, the  
17 department is not required to prepare a regulatory flexibility analysis under Government Code,  
18 §2006.002.

19 **TAKINGS IMPACT ASSESSMENT.** The department has determined that no private real property interests  
20 are affected by this proposal and that this proposal does not restrict or limit an owner's right to property  
21 that would otherwise exist in the absence of government action and, therefore, does not constitute a  
22 taking or require a takings impact assessment under Government Code, §2007.043.

1 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that each year of the  
2 first five years the proposed amendments, new rule and repeals are in effect, no government program  
3 would be created or eliminated; no employee positions would be created or eliminated; there would be  
4 no change in the amount of fees paid to the agency; the number of individuals subject to the rule’s  
5 applicability would not change; and the rule would have no significant impact on the state’s economy.  
6 With the exception of the proposed amendments to §217.5(a)(1)(A) to add two new requirements for a  
7 manufacturer’s certificate of origin, the proposed revisions do not expand or limit regulations; however,  
8 the proposed revisions repeal regulations - specifically, §217.34 and §217.87. Proposed new §217.31  
9 regarding HVUT clarifies current law and moves the HVUT requirements into a standalone rule to ensure  
10 compliance with the HVUT requirements.

11 **REQUEST FOR PUBLIC COMMENT.** If you want to comment on the proposal, submit your written  
12 comments by 5:00 p.m. CDT on August 12, 2024. A request for a public hearing must be sent separately  
13 from your written comments. Send written comments or hearing requests by email to *rules@txdmv.gov*  
14 or by mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue,  
15 Austin, Texas 78731. If a hearing is held, the department will consider written comments and public  
16 testimony presented at the hearing.

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**SUBCHAPTER A. MOTOR VEHICLE TITLES**

**43 TAC §§217.2-9, 217.11, AND 217.14-16**

**STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code, Chapter 501, Certificate of Title Act; Transportation Code, §501.023, which authorizes the department to prescribe the process and procedures for applying for a motor vehicle title; Transportation Code, §501.0235, which authorizes the department to adopt rules requiring current personal identification from applicants requesting a motor vehicle title; Transportation Code, §501.0236, as amended by HB 718, which authorizes the department to adopt rules governing the issuance of a motor vehicle titles and permits to purchasers of a motor vehicle where a motor vehicle dealer goes out of business; Transportation Code, §501.025, which authorizes the department to specify the requirements for a manufacturer’s certificate of origin for issuance of a motor vehicle title; Transportation Code, §501.029, which authorizes the department to adopt rules to identify documents that are acceptable as proof of ownership of a motor vehicle for registration purposes only; Transportation Code, §501.030, which authorizes the department to adopt rules governing identification number inspections for motor vehicles brought into the state; Transportation Code, §501.0315, which authorizes the department to adopt rules governing the designation of a beneficiary by a motor vehicle owner; §501.0321; Transportation Code §501.0322, which provides the department with authority to adopt rules to establish an alternative identification number inspection; Transportation Code, §501.051(d), which gives the department authority to place a hold on processing a title application for a motor vehicle if the department receives a request for a hold accompanied by evidence of a legal action regarding ownership of or a lien interest in the motor vehicle until a final, nonappealable judgment is entered in the action or the party requesting the hold requests

1 that the hold be removed; Transportation Code, §501.147, as amended by HB 718, which authorizes the  
2 department to adopt rules governing vehicle the submission of transfer notifications to the department;  
3 and Transportation Code, §1002.001, which authorizes the department to adopt rules that are necessary  
4 and appropriate to implement the powers and the duties of the department, as well as the statutes  
5 referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§501.023, 501.0235, 501.025, 501.029, 501.030, §501.0315, §501.0321, §501.0322, 501.051, 501.053,  
8 501.147, and 1002.001.

9

10 Text.

11 §217.2. Definitions.

12 The following words and terms, when used in this subchapter, shall have the following  
13 meanings, unless the context clearly indicates otherwise.

14 (1) Alias--The name of a vehicle owner reflected on a title, when the name on the  
15 title is different from the name of the legal owner of the vehicle.

16 (2) Alias title--A title document issued by the department for a vehicle that is used  
17 by an exempt law enforcement agency in covert criminal investigations.

18 ~~[(3) All-terrain vehicle or ATV--A motor vehicle as defined by Transportation Code,~~  
19 ~~§551A.001, and designed primarily for recreational use. The term does not include a "utility~~  
20 ~~vehicle" as defined by Transportation Code, §551A.001, or a self-propelled, motor-driven vehicle~~  
21 ~~designed or marketed by the manufacturer primarily for non-recreational uses.]~~

22 (3)[(4)] Bond release letter--Written notification from the United States

23 Department of Transportation authorizing United States Customs to release the bond posted for a  
06/27/2024

1 motor vehicle imported into the United States to ensure compliance with federal motor vehicle  
2 safety standards.

3 (4) Current photo identification-- a government-issued photo identification that is  
4 currently valid or is within 12 months of the expiration date, or a state-issued personal identification  
5 certificate issued to a qualifying person if the identification states that it has no expiration.

6 (5) Date of sale--The date of the transfer of possession of a specific vehicle from a  
7 seller to a purchaser.

8 (6) Division director--The director of the department's Vehicle Titles and  
9 Registration Division.

10 (7) Executive administrator--The director of a federal agency, the director of a  
11 Texas state agency, the sheriff of a Texas county, or the chief of police of a Texas city who by law  
12 possesses the authority to conduct covert criminal investigations.

13 (8) Exempt agency--A governmental body exempt by law from paying title or  
14 registration fees for motor vehicles.

15 (9) Federal motor vehicle safety standards--Motor vehicle safety requirements  
16 promulgated by the United States Department of Transportation, National Highway Traffic Safety  
17 Administration, set forth in Title 49, Code of Federal Regulations.

18 ~~[(10)] House moving dolly—An apparatus consisting of metal beams and axles used~~  
19 ~~to move houses. House moving dollies, by nature of their construction and use, actually form large~~  
20 ~~semitrailers.]~~

21 ~~[(11)] Implements of husbandry—Farm implements, machinery, and tools used in~~  
22 ~~tilling the soil, including self-propelled machinery specifically designed or especially adapted for~~  
23 ~~applying plant food materials or agricultural chemicals. This term does not include an implement~~



1 ~~unless it is designed or adapted for the sole purpose of transporting farm materials or chemicals.~~  
2 ~~This term does not include any passenger car or truck. This term does include a towed vehicle that~~  
3 ~~transports to the field and spreads fertilizer or agricultural chemicals; or a motor vehicle designed~~  
4 ~~and adapted to deliver feed to livestock.]~~

5 (10) ~~[(12)]~~ Manufacturer's certificate of origin--A form prescribed by the  
6 department showing the original transfer of a new motor vehicle from the manufacturer to the  
7 original purchaser, whether importer, distributor, dealer, or owner and when presented with an  
8 application for title showing on appropriate forms prescribed by the department, each subsequent  
9 transfer between distributor and dealer, dealer and dealer, and dealer and owner.

10 (11) ~~[(13)]~~ Moped--A motor vehicle as defined by Transportation Code, §541.201.

11 (12) ~~[(14)]~~ Motor vehicle importation form--A declaration form prescribed by the  
12 United States Department of Transportation and certified by United States Customs that relates to  
13 any motor vehicle being brought into the United States and the motor vehicle's compliance with  
14 federal motor vehicle safety standards.

15 (13) ~~[(15)]~~ Non-United States standard motor vehicle--A motor vehicle not  
16 manufactured in compliance with federal motor vehicle safety standards.

17 ~~[(16) Obligor--An individual who is required to make payments under the terms of a~~  
18 ~~support order for a child.]~~

19 ~~[(17)] Off-highway vehicle--A motor vehicle as defined by Transportation Code,~~  
20 ~~§551A.001.]~~

21 (14) ~~[(18)]~~ Person--An individual, firm, corporation, company, partnership, or other  
22 entity.

1           ~~[(19)] Recreational off-highway vehicle or ROV--A motor vehicle as defined by~~  
2 ~~Transportation Code, §551A.001, and designed primarily for recreational use. The term does not~~  
3 ~~include a "utility vehicle" as defined by Transportation Code, §551A.001, or a self-propelled,~~  
4 ~~motor-driven vehicle designed or marketed by the manufacturer primarily for non-recreational~~  
5 ~~uses.]~~

6           (15)[(20)] Safety certification label--A label placed on a motor vehicle by a  
7 manufacturer certifying that the motor vehicle complies with all federal motor vehicle safety  
8 standards.

9           ~~[(21) Sand rail--A motor vehicle as defined by Transportation Code, §551A.001.]~~

10           (16)[(22)] Statement of fact--A written declaration that supports an application for  
11 a title, that is executed by an involved party to a transaction involving a motor vehicle, and that  
12 clarifies an error made on a title or other negotiable evidence of ownership. An involved party is  
13 the seller, or an agent of the seller involved in the motor vehicle transaction. When a written  
14 declaration is necessary to correct an odometer disclosure error, the signatures of both the seller  
15 and buyer when the error occurred are required.

16           (17)[(23)] Title application--A form prescribed by the division director that reflects  
17 the information required by the department to create a motor vehicle title record.

18           ~~[24) Utility vehicle or UTV--A motor vehicle as defined by Transportation Code,~~  
19 ~~§551A.001, and designed primarily for utility use. The term does not include a "golf cart" as~~  
20 ~~defined by Transportation Code, §551.401, or a self-propelled, motor-driven vehicle designed or~~  
21 ~~marketed by the manufacturer primarily for non-utility uses.]~~

22           (18)[(25)] Verifiable proof--Additional documentation required of a vehicle owner,  
23 lienholder, or agent executing an application for a certified copy of a title.

1                   ~~[(A) Individual applicant. If the applicant is an individual, verifiable proof~~  
2 ~~consists of a copy of a current photo identification issued by this state or by the United States or~~  
3 ~~foreign passport.]~~

4                   ~~[(B) Business applicant. If the applicant is a business, verifiable proof~~  
5 ~~consists of an original or copy of a letter of signature authority on letterhead, a business card, or~~  
6 ~~employee identification and a copy of current photo identification issued by this state or by the~~  
7 ~~United States or foreign passport.]~~

8                   ~~[(C) Power of attorney. If the applicant is a person in whose favor a power~~  
9 ~~of attorney has been executed by the owner or lienholder, verifiable proof consists of the~~  
10 ~~documentation required under subparagraph (A) or (B) of this paragraph both for the owner or~~  
11 ~~lienholder and for the person in whose favor the power of attorney is executed.]~~

12

13 §217.3. Motor Vehicle Titles.

14           Unless otherwise exempted by law or this chapter, the owner of any motor vehicle that is  
15 required to be titled, including any motor vehicle required to be registered in accordance with  
16 Transportation Code Chapter 502, shall apply for a Texas title in accordance with Transportation  
17 Code Chapter 501 or 731, or this subchapter.

18                   (1) Motorcycles, autocycles, and mopeds.

19                   ~~[(A)]~~ The title requirements for a motorcycle, autocycle, and moped are the  
20 same requirements prescribed for any motor vehicle.

21                   ~~[(B) A vehicle that meets the criteria for a moped under Transportation~~  
22 ~~Code §541.201(8).]~~

23                   (2) Farm vehicles.

1                   ~~[(A)The term "motor vehicle" does not apply to implements of husbandry,~~  
2 ~~which may not be titled.]~~

3                   (A)~~[(B)]~~ Farm tractors owned by agencies exempt from registration fees in  
4 accordance with Transportation Code §502.453, are required to be titled and registered with  
5 "Exempt" license plates issued in accordance with Transportation Code §502.451.

6                   (B)~~[(C)]~~ [Farm]Tractors ~~[tractors]~~ used as road tractors to mow rights of way  
7 or used to move commodities over the highway for hire are required to be registered and titled.

8                   ~~[(D) Owners of farm trailers and farm semitrailers with a gross weight of~~  
9 ~~34,000 pounds or less may apply for a Texas title. Owners of farm trailers and farm semitrailers~~  
10 ~~with a gross weight in excess of 34,000 pounds shall apply for a Texas title. If a farm trailer or farm~~  
11 ~~semitrailer with a gross weight of 34,000 pounds or less has been titled previously, any subsequent~~  
12 ~~owner shall apply for a Texas title for the farm trailer or farm semitrailer.]~~

13                   (3) Neighborhood electric vehicles. The title requirements of a neighborhood  
14 electric vehicle (NEV) are the same requirements prescribed for any motor vehicle.

15                   (4) Trailers, semitrailers, and house trailers.~~[ Owners of trailers and semitrailers~~  
16 ~~shall apply for a Texas title for any trailer or semitrailer with a gross weight in excess of 4,000~~  
17 ~~pounds. Owners of trailers and semitrailers with a gross weight of 4,000 pounds or less may apply~~  
18 ~~for a Texas title.]~~ If a trailer or semitrailer with a gross weight of 4,000 pounds or less has been  
19 titled previously, any subsequent owner shall apply for a Texas title for the trailer or semitrailer.

20 Travel ~~[House]~~ trailer-type vehicles must meet the criteria outlined in subparagraph (C) of this  
21 paragraph to be titled:

22                   (A) The rated carrying capacity will not be less than one-third of its empty  
23 weight.

1 (B) Mobile office trailers, mobile oil field laboratories, and mobile oil field  
2 bunkhouses are not designed as dwellings, but are classified as commercial semitrailers and must  
3 be registered and titled as commercial semitrailers if operated on the public streets and highways.

4 (C) House trailer-type vehicles and camper trailers must meet the following  
5 criteria in order to be titled.

6 (i) A house trailer-type vehicle that is less than eight feet six inches  
7 in width or less than 45 feet in length is classified as a travel trailer and shall be registered and  
8 titled.

9 (ii) A camper trailer shall be titled as a house trailer and shall be  
10 registered with travel trailer license plates.

11 (iii) A recreational park model type trailer that is primarily designed  
12 as temporary living quarters for recreational, camping or seasonal use, is built on a single chassis,  
13 and is 400 square feet or less when measured at the largest horizontal projection when in the set  
14 up mode shall be titled as a house trailer and may be issued travel trailer license plates.

15 (5) Assembled vehicles. The title requirements for assembled vehicles are  
16 prescribed in Subchapter L of this title (relating to Assembled Vehicles).

17 (6) Not Eligible for Title. The following are not eligible for a Texas title regardless of  
18 the vehicle's previous title or registration in this or any other jurisdiction:

19 (A) vehicles that are missing or are stripped of their motor, frame, or body,  
20 to the extent that the vehicle loses its original identity or makes the vehicle unsafe for on-road  
21 operation as determined by the department;

22 (B) vehicles designed by the manufacturer for on-track racing only;

1 (C) vehicles designed or determined by the department to be for off-  
2 highway use only, unless specifically defined as a "motor vehicle" in Transportation Code Chapter  
3 501; or

4 (D) vehicles assembled, built, constructed, rebuilt, or reconstructed in any  
5 manner with:

6 (i) a body or frame from a vehicle which is a "nonrepairable motor  
7 vehicle" as that term is defined in Transportation Code §501.091(9); or

8 (ii) a motor or engine from a vehicle which is flood damaged, water  
9 damaged, or any other term which may reasonably establish the vehicle from which the motor or  
10 engine was obtained is a loss due to a water related event.

11

12 §217.4. Initial Application for Title.

13 (a) Time for application. A person must apply for the title not later than the 30th day after  
14 the date of assignment, except:

15 (1) in a seller-financed sale, the title must be applied for not later than the 45th day  
16 after the date the motor vehicle is delivered to the purchaser;

17 (2) a member of the armed forces or a member of a reserve component of the  
18 United States, a member of the Texas National Guard or of the National Guard of another state  
19 serving on active duty, must apply not later than the 60th day after the date of assignment of  
20 ownership; or

21 (3) as otherwise provided by Transportation Code, Chapter 501.

1 (b) Place of application. Except as otherwise provided by Transportation Code, Chapters  
2 501 and 502, and by §217.84(a) of this title (relating to Application for Nonrepairable or Salvage  
3 Vehicle Title), when motor vehicle ownership is transferred, a title application must be filed with:

4 (1) the county tax assessor-collector in the county in which the applicant resides or  
5 in the county in which the motor vehicle was purchased or encumbered; or

6 (2) a county tax assessor-collector of a county who is willing to accept the  
7 application.

8 (c) Information to be included on application. An applicant for an initial title must file an  
9 application on a form prescribed by the department. The form will at a minimum require the:

10 (1) motor vehicle description including, but not limited to, the motor vehicle:

11 (A) year;

12 (B) make;

13 (C) identification number;

14 (D) body style; and

15 (E) empty weight;

16 (2) license plate number, if the motor vehicle is subject to registration under  
17 Transportation Code, Chapter 502;

18 (3) odometer reading and brand, or the word "exempt" if the motor vehicle is  
19 exempt from federal and state odometer disclosure requirements;

20 (4) previous owner's legal name and municipality and state, if available;

21 (5) legal name as stated on the identification presented and complete address of  
22 the applicant;

23 (6) name and mailing address of any lienholder and the date of lien, if applicable;

1 (7) signature of the seller of the motor vehicle or the seller's authorized agent and  
2 the date the title application was signed; and

3 (8) signature of the applicant or the applicant's authorized agent and the date the  
4 title application was signed.

5 (d) Accompanying documentation. The title application must be supported by, at a  
6 minimum, the following documents:

7 (1) evidence of vehicle ownership, as described in §217.5 of this title (relating to  
8 Evidence of Motor Vehicle Ownership);

9 (2) an odometer disclosure statement properly executed by the seller of the motor  
10 vehicle and acknowledged by the purchaser, if applicable;

11 (3) proof of financial responsibility in the applicant's name, as required by  
12 Transportation Code, §502.046, unless otherwise exempted by law;

13 (4) for a vehicle last registered or titled in another state, [inspection report if  
14 required by Transportation Code, Chapter 548, and Transportation Code, §501.030,] verification of  
15 the vehicle identification number by a process prescribed on a form by the department for the  
16 applicant to self-certify the vehicle identification number if the vehicle is not subject to  
17 Transportation Code, Chapter 548 [and if the vehicle is being titled and registered, or registered  
18 only];

19 (5) a release of any liens, provided that if any liens are not released, they will be  
20 carried forward on the new title application; ~~[with the following limitations:]~~

21 ~~[(A) A lien recorded on out-of-state evidence as described in §217.5 cannot~~  
22 ~~be carried forward to a Texas title when there is a transfer of ownership, unless a release of lien or~~  
23 ~~authorization from the lienholder is attached; and]~~



1                   ~~[(B) A lien recorded on out-of-state evidence as described in §217.5 is not~~  
2 ~~required to be released when there is no transfer of ownership from an out-of-state title and the~~  
3 ~~same lienholder is being recorded on the Texas application as is recorded on the out-of-state title;]~~  
4 and

5                   (6) any documents required by §217.9 of this title (relating to Bonded Titles).

6

7 §217.5. Evidence of Motor Vehicle Ownership.

8                   (a) Evidence of motor vehicle ownership properly assigned to the applicant must  
9 accompany the title application. Evidence must include, but is not limited to, the following  
10 documents.

11                   (1) New motor vehicles. A manufacturer's certificate of origin assigned by the  
12 manufacturer or the manufacturer's representative or distributor to the original purchaser is  
13 required for a new motor vehicle that is sold or offered for sale.

14                   (A) The manufacturer's certificate of origin must be in the form prescribed  
15 by the department and must contain, at a minimum, the following information:

16                                   (i) manufacturer's name on the face of the manufacturer's  
17 certificate of origin;

18                                   (ii)[(+)] motor vehicle description including, but not limited to, the  
19 motor vehicle year, make, model, identification number, and body style;

20                                   (iii)[(++)] the empty or shipping weight;

21                                   (iv)[(+++)] the gross vehicle weight when the manufacturer's  
22 certificate of origin is invoiced to a licensed Texas motor vehicle dealer and is issued for  
23 commercial motor vehicles as that term is defined in Transportation Code, Chapter 502;

1                                    (v)[(iv)] a statement identifying a motor vehicle designed by the  
2 manufacturer for off-highway use only; ~~and~~

3                                    (vi) if the vehicle is a motor bus, the manufacturer must show the  
4 seating capacity (number of passengers) of the motor bus on the manufacturer's certificate; and

5                                    (vii)[(v)] if the vehicle is a "neighborhood electric vehicle," a  
6 statement that the vehicle meets Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500)  
7 for low-speed vehicles.

8                                    (B) When a motor vehicle manufactured in another country is sold directly  
9 to a person other than a manufacturer's representative or distributor, the manufacturer's  
10 certificate of origin must be assigned to the purchaser by the seller.

11                                    (2) Used motor vehicles. Applicants applying for title to a used motor vehicle must  
12 relinquish as evidence of ownership one of the following documents:

13                                    (A) A title issued by the department;

14                                    (B) a title issued by another state if the motor vehicle was last titled in  
15 another state;

16                                    (C) documents evidencing a transfer of motor vehicle ownership by  
17 operation of law as listed in Transportation Code §501.074;

18                                    (D) a registration receipt if the applicant is coming from a state that no  
19 longer titles vehicles after a certain period of time; or

20                                    (E) a bill of sale when the applicant presents:

21    i. an out-of-state or out-of-country registration receipt that  
22 does not provide a transfer of ownership section;

1 ii. an out of state title when all dealer reassignment sections  
2 have been completed and the issuing state does not utilize supplemental dealer reassignment  
3 forms; or

4 iii. a non-titled vehicle.

5 ~~[A title issued by the department, a title issued by another state if the motor vehicle was last~~  
6 ~~registered and titled in another state, or other evidence of ownership must be relinquished in~~  
7 ~~support of the title application for any used motor vehicle. A registration receipt is required from a~~  
8 ~~vehicle owner coming from a state that no longer titles vehicles after a certain period of time.]~~

9 (3) Evidence of Ownership for Purpose of Identification Number Assignment or  
10 Reassignment. An applicant for assignment or reassignment of an identification number under  
11 Transportation Code §501.033 who is unable to produce evidence of ownership under this section,  
12 may file a bond with the department in accordance with Transportation Code §501.053 and §217.9  
13 of this title (relating to Bonded Titles). The bond will serve as evidence of ownership for purposes  
14 of §501.033(b).

15 (4) Motor vehicles brought into the United States. An application for title for a  
16 motor vehicle last registered or titled in a foreign country must be supported by documents  
17 including, but not limited to, the following:

18 (A) the motor vehicle registration certificate or other verification issued by  
19 a foreign country reflecting the name of the applicant as the motor vehicle owner, or reflecting  
20 that legal evidence of ownership has been legally assigned to the applicant;

21 (B) the identification number inspection required under Transportation  
22 Code §501.032(a)(2), except as provided in §501.032(b); and

1 (C) for motor vehicles that are less than 25 years old, proof of compliance  
2 with United States Department of Transportation (USDOT) regulations including, but not limited to,  
3 the following documents:

4 (i) the original bond release letter with all attachments advising that  
5 the motor vehicle meets federal motor vehicle safety requirements or a letter issued by the  
6 USDOT, National Highway Traffic Safety Administration, verifying the issuance of the original bond  
7 release letter;

8 (ii) a legible copy of the motor vehicle importation form validated  
9 with a ~~[an original United States Customs stamp, date, and]~~signature as filed with the USDOT  
10 confirming the exemption from the bond release letter required in clause (i) of this subparagraph,  
11 or a copy thereof certified by United States Customs;

12 (iii) a verification of motor vehicle inspection by United States  
13 Customs certified on its letterhead and signed by its agent verifying that the motor vehicle  
14 complies with USDOT regulations;

15 (iv) a written confirmation that a physical inspection of the safety  
16 certification label has been made by the department and that the motor vehicle meets United  
17 States motor vehicle safety standards;

18 (v) the original bond release letter, verification thereof, or written  
19 confirmation from the previous state verifying that a bond release letter issued by the USDOT was  
20 relinquished to that jurisdiction, if the non-United ~~[non-United]~~ States standard motor vehicle was  
21 last titled or registered in another state for one year or less; or

22 (vi) verification from the vehicle manufacturer on its letterhead  
23 stationery.

1 (b) Alterations to documentation. An alteration to a registration receipt, title,  
2 manufacturer's certificate, or other evidence of ownership constitutes a valid reason for the  
3 rejection of any transaction to which altered evidence is attached.

4 (1) Altered lien information on any surrendered evidence of ownership requires a  
5 release from the original lienholder or a statement from the proper authority of the state in which  
6 the lien originated. The statement must verify the correct lien information.

7 (2) A strikeover that leaves any doubt about the legibility of any digit in any  
8 document will not be accepted.

9 (3) A corrected manufacturer's certificate of origin will be required if the  
10 manufacturer's certificate of origin contains an:

11 (A) incomplete or altered vehicle identification number;

12 (B) alteration or strikeover of the vehicle's model year;

13 (C) alteration or strikeover to the body style, or omitted body style on the  
14 manufacturer's certificate of origin; or

15 (D) alteration or strikeover to the weight.

16 (4) A statement[Statement] of fact[Fact] may be requested to explain errors,  
17 corrections, or conditions from which doubt does or could arise concerning the legality of any  
18 instrument. A statement[Statement] of fact[Fact] will be required in all cases:

19 (A) in which the date of sale on an assignment has been erased or altered in  
20 any manner; or

21 (B) of alteration or erasure on a Dealer's Reassignment of Title.

1 (c) Rights of survivorship. A signed "rights of survivorship" agreement may be executed by  
2 a natural person acting in an individual capacity in accordance with Transportation Code,  
3 §501.031.

4 (d) Identification required.

5 (1) An application for title is not acceptable unless the applicant presents a current  
6 photo identification of the owner containing a unique identification number~~[and expiration date]~~.  
7 The current photo identification ~~[document]~~ must be a:

8 (A) driver's license or state identification certificate issued by a state or  
9 territory of the United States;

10 (B) United States or foreign passport;

11 (C) United States military identification card;

12 (D) North Atlantic Treaty Organization identification or identification issued  
13 under a Status of Forces Agreement;

14 (E) United States Department of Homeland Security, United States  
15 Citizenship and Immigration Services, or United States Department of State identification  
16 document; or

17 (F)~~[concealed handgun license or]~~license to carry a handgun issued by the  
18 Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H.

19 (2) If the motor vehicle is titled in:

20 (A) more than one name, then the identification of one owner must be  
21 presented;

22 (B) the name of a leasing company, then:

1 (i) proof of the Federal Employer Identification Number/Employee  
2 Identification Number (FEIN/EIN) of the leasing company must be submitted, written on the  
3 application, and can be entered into the department's titling system. The number must correspond  
4 to the name of the leasing company in which the vehicle is being titled; and

5 (ii) the leasing company may submit:

6 (I) a government issued photo identification, required under  
7 paragraph (1) of this subsection, of the lessee listed as the registrant; or

8 (II) a government issued photo identification, required under  
9 paragraph (1) of this subsection, of the employee or authorized agent who signed the application  
10 for the leasing company, and the employee's or authorized agent's employee identification, letter  
11 of authorization written on the lessor's letterhead, or a printed business card. The printed business  
12 card, employee identification, or letter of authorization written on the lessor's letterhead must  
13 contain the name of the lessor, and the employee's or authorized agent's name must match the  
14 name on the government issued photo identification;

15 (C) the name of a trust, then a government issued photo identification,  
16 required under paragraph (1) of this subsection, of a trustee must be presented; or

17 (D) the name of a business, government entity, or organization, then:

18 (i) proof of the Federal Employer Identification Number/Employee  
19 Identification Number (FEIN/EIN) of the business, government entity, or organization must be  
20 submitted, written on the application, and can be entered into the department's titling system.  
21 The number must correspond to the name of the business, government entity, or organization in  
22 which the vehicle is being titled;

1 (ii) the employee or authorized agent must present a government  
2 issued photo identification, required under paragraph (1) of this subsection; and

3 (iii) the employee's or authorized agent's employee identification;  
4 letter of authorization written on the business', government entity's, or organization's letterhead;  
5 or a printed business card. The printed business card, employee identification, or letter of  
6 authorization written on the business', government entity's, or organization's letterhead must  
7 contain the name of the business, governmental entity, or organization, and the employee's or  
8 authorized agent's name must match the name on the government issued photo identification.

9 (3) In addition to the requirements of paragraphs (1) and (2) of this subsection, if a  
10 power of attorney is being used to apply for a title, then the applicant must show:

11 (A) identification, required under paragraph (1) of this subsection, matching  
12 the person named as power of attorney; or

13 (B) identification, required under paragraph (1) of this subsection, and  
14 employee identification or a printed business card or authorization written on the letterhead of  
15 the entity named as power of attorney that matches the identification of the employee if the  
16 power of attorney names an entity.

17 ~~[(4) Within this subchapter, "current" is defined as not to exceed 12 months after~~  
18 ~~the expiration date, except that a state issued personal identification certificate issued to a~~  
19 ~~qualifying person is considered current if the identification states that it has no expiration.]~~

20 (4)~~[(5)]~~ Within this subsection, an identification document such as a printed  
21 business card, letter of authorization, or power of attorney, may be an original or a photocopy.



1                    ~~(5)~~~~(6)~~ A person who holds a general distinguishing number issued under  
2 Transportation Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is exempt from submitting  
3 to the county tax assessor-collector, but must retain:

4                    (A) the owner's identification, as required under paragraph (1) of this  
5 subsection; and

6                    (B) authorization to sign, as required under paragraph (2) of this subsection.

7                    ~~(6)~~~~(7)~~ A person who holds a general distinguishing number issued under  
8 Transportation Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is not required to submit  
9 photo identification or authorization for an employee or agent signing a title assignment with a  
10 secure power of attorney.

11

12 §217.6. Title Issuance.

13                    (a) Issuance. The department or its designated agent will issue a receipt and process the  
14 application for title on receipt of:

15                    (1) a completed application for title;

16                    (2) required accompanying documentation;

17                    (3) the statutory fee for a title application, unless exempt under:

18                    (A) Transportation Code, §501.138; or

19                    (B) Government Code, §437.217 and copies of official military orders are  
20 presented as evidence of the applicant's active duty status and deployment orders to a hostile fire  
21 zone; and

22                    (4) any other applicable fees.

1 (b) Titles. The department will issue and mail or deliver a title to the applicant or, in the  
2 event that there is a lien disclosed in the application, to the first lienholder unless the title is an  
3 electronic record of title.

4 (c) Receipt. The receipt issued at the time of application for title may be used only as  
5 evidence of title and may not be used to transfer any interest or ownership in a motor vehicle or to  
6 establish a new lien.

7 (d) Temporary hold. The department shall place a hold on processing a title application for  
8 a motor vehicle if the department receives a request for a hold accompanied by evidence of a legal  
9 action regarding ownership of or a lien interest in the motor vehicle. The hold shall continue until a  
10 final, nonappealable judgment is entered in the action or the party requesting the hold requests  
11 that the hold be removed.

12 (1) Evidence of a legal action regarding ownership of or a lien interest in a motor  
13 vehicle means evidence showing a legal action regarding ownership of or a lien interest in a motor  
14 vehicle filed in a district, county, statutory probate court, or bankruptcy court.

15 (2) Legal actions filed in justice of the peace or municipal courts do not qualify as  
16 evidence for purposes of this section unless the case is related to Chapter 47, Code of Criminal  
17 Procedure, or Section 27.031, Government Code.

18 (3) Legal actions regarding ownership of or a lien interest in a motor vehicle must  
19 be active on a court’s docket. If the evidence presented in support of a request for a hold is a legal  
20 action that has been resolved through a final nonappealable judgment, additional evidence of  
21 post-judgment legal actions must be presented to place a hold on processing a title.

22 (4) The department shall place a ten-day temporary hold on processing a title if a  
23 party seeking to obtain a 10-day temporary hold presents the VIN of the vehicle for which the hold

1 is sought, and attests that the hold is being requested in order to commence a legal action  
2 disputing a title or lien interest in a motor vehicle and not for purposes of delay.

3 (5) For the purposes of this subsection, a final nonappealable judgment is a  
4 judgment for which 30 days have passed from the day the judgment was entered without a notice  
5 of appeal being filed.

6

7 §217.7. Replacement of Title.

8 (a) Lost or destroyed title. If a title is lost or destroyed, the department will issue a certified  
9 copy of the title to the owner, the lienholder, or a verified agent of the owner or lienholder in  
10 accordance with Transportation Code, Chapter 501, on proper application and payment of the  
11 appropriate fee to the department.

12 (b) Identification required.

13 (1) An owner or lienholder may not apply for a certified copy of title unless the  
14 applicant presents a current photo identification of the owner or lienholder containing a unique  
15 identification number and expiration date. The current photo identification [~~document~~] must be a:

16 (A) driver's license or state identification certificate issued by a state or  
17 territory of the United States;

18 (B) United States or foreign passport;

19 (C) United States military identification card;

20 (D) North Atlantic Treaty Organization identification or identification issued  
21 under a Status of Forces Agreement;

1 (E) United States Department of Homeland Security, United States  
2 Citizenship and Immigration Services, or United States Department of State identification  
3 document; or

4 (F) ~~concealed handgun license or~~ license to carry a handgun issued by the  
5 Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H.

6 (2) If the motor vehicle is titled in:

7 (A) more than one name, then the identification for each owner must be  
8 presented;

9 (B) the name of a leasing company, then the lessor's employee or  
10 authorized agent who signed the application for the leasing company must present:

11 (i) a government issued photo identification, required under  
12 paragraph (1) of this subsection; and

13 (ii) employee identification, letter of authorization written on the  
14 lessor's letterhead, or a printed business card. The printed business card, employee identification,  
15 or letter of authorization written on the lessor's letterhead must contain the name of the lessor,  
16 and the employee's or authorized agent's name must match the name on the government issued  
17 photo identification;

18 (C) the name of a trust, then a government issued photo identification,  
19 required under paragraph (1) of this subsection, of a trustee must be presented; or

20 (D) the name of a business, government entity, or organization, then:

21 (i) the employee or authorized agent must present a government  
22 issued photo identification, required under paragraph (1) of this subsection; and

1 (ii) the employee's or authorized agent's employee identification;  
2 letter of authorization written on the business', government entity's, or organization's letterhead;  
3 or a printed business card. The printed business card, employee identification, or letter of  
4 authorization written on the business', government entity's, or organization's letterhead must  
5 contain the name of the business, governmental entity, or organization, and the employee's or  
6 authorized agent's name must match the name on the government issued photo identification.

7 (3) In addition to the requirements of paragraphs (1) and (2) of this subsection, if a  
8 power of attorney is being used to apply for a certified copy of title, then the applicant must show:

9 (A) current photo identification, required under paragraph (1) of this  
10 subsection, matching the person named as power of attorney;

11 (B) current photo identification, required under paragraph (1) of this  
12 subsection, and employee identification or a printed business card or authorization written on the  
13 letterhead of the entity named as power of attorney that matches the identification of the  
14 employee if the power of attorney names an entity; or

15 (C) current photo identification, required under paragraph (1) of this  
16 subsection, of the owner or lienholder.

17 ~~[(4) Within this subchapter, "current" is defined as within 12 months after the~~  
18 ~~expiration date, except that a state issued personal identification certificate issued to a qualifying~~  
19 ~~person is considered current if the identification states that it has no expiration.]~~

20 ~~[(4)][(5)]~~ Within this subsection, an identification document, such as a printed  
21 business card, letter of authorization, or power of attorney, may be an original or a photocopy.

22 (c) Issuance. An application for a certified copy must be properly executed and supported  
23 by appropriate verifiable proof of the vehicle owner, lienholder, or agent regardless of whether

1 the application is submitted in person or by mail. A certified copy will not be issued until after the  
2 14th day that the original title was issued.

3 (d) Denial. If issuance of a certified copy is denied, the applicant may resubmit the request  
4 with the required verifiable proof or may pursue the privileges available in accordance with  
5 Transportation Code, §501.052 and §501.053.

6 (e) Additional copies. An additional certified copy will not be issued until 30 days after  
7 issuance of the previous certified copy.

8 (f) Fees. The fee for obtaining a certified copy of a title is \$2 if the application is submitted  
9 to the department by mail and \$5.45 if the application is submitted in person for expedited  
10 processing at one of the department's regional offices.

11  
12 §217.8. Second-Hand Vehicle Transfers.

13 (a) Voluntary notification. A transferor, other than a dealer who holds a general  
14 distinguishing number, of a motor vehicle may voluntarily make written notification to the  
15 department of the sale of the vehicle, in accordance with Transportation Code, §501.147. The  
16 written notification may be submitted to the department by mail, in person at one of the  
17 department's regional offices, or electronically through the department's Internet website.

18 (b) Required notification. A dealer who holds a general distinguishing number is required to  
19 submit a written vehicle transfer notification to the department including the information required  
20 under Transportation Code, §501.147(b) upon the sale or transfer of a motor vehicle to the dealer.  
21 The written notification may be submitted to the department by mail, in person at one of the  
22 department's regional offices, or electronically through the department's Internet website.

1            ~~(c)~~~~(b)~~ Records. On receipt of written notice of transfer from the transferor of a motor  
2 vehicle or dealer who holds a general distinguishing number, the department will mark its records  
3 to indicate the date of transfer and will maintain a record of the information provided on the  
4 written notice of transfer.

5            ~~(d)~~~~(e)~~ Title issuance. A title will not be issued in the name of a transferee until the  
6 transferee files an application for the title as described in this subchapter.

7

8 §217.9. Bonded Titles

9            (a) Who may file. A person who has an interest in a motor vehicle to which the department  
10 has refused to issue a title or has suspended or revoked a title may request issuance of a title from  
11 the department on a prescribed form if the vehicle is in the possession of the applicant; and

12            (1) there is a record that indicates a lien that is less than ten years old and the  
13 applicant provides a [surety bonding company ensures lien satisfaction or] release of all liens and a  
14 bond [lien];

15            (2) there is a record that indicates there is not a lien or the lien is ten or more years  
16 old; or

17            (3) the department has no previous motor vehicle record.

18            (b) Administrative fee. The applicant must pay the department a \$15 administrative fee in  
19 addition to any other required fees.

20            (c) Value. The amount of the bond must be equal to one and one-half times the value of  
21 the vehicle as determined under Tax Code §152.0412 regarding Standard Presumptive Value (SPV).  
22 If the SPV is not available, then a national reference guide will be used. If the value cannot be  
23 determined by the department through either source, then the person may obtain an appraisal. If

1 a motor vehicle is 25 years or older, a person may obtain an appraisal to determine the value  
2 instead of using a national reference guide.

3 (1) The appraisal must be on a form specified by the department from a Texas  
4 licensed motor vehicle dealer for the categories of motor vehicles that the dealer is licensed to sell  
5 or a Texas licensed insurance adjuster who may appraise any type of motor vehicle.

6 (2) The appraisal must be dated and be submitted to the department within 30 days  
7 of the appraisal.

8 (3) If the motor vehicle is 25 years or older and the appraised value of the vehicle is  
9 less than \$4,000, the bond amount will be established from a value of \$4,000.

10 (4) If the motor vehicle is a trailer or semitrailer, the person may, as an alternative  
11 to an appraisal, have the bond amount established from a value of:

12 (A) \$4,000, if under 20 feet in length, or

13 (B) \$7,000, if 20 or more feet in length.

14 (d) Vehicle identification number inspection. If the department has no motor vehicle record  
15 for the vehicle, the vehicle identification number must be verified by an inspection under  
16 Transportation Code §501.0321.

17 (e) Required documentation. An applicant may apply for a bonded title if the applicant  
18 submits:

19 (1) any evidence of ownership;

20 (2) the original bond within 30 days of issuance;

21 (3) the notice of determination within one year of issuance and the receipt for \$15  
22 paid to the department;

23 (4) the documentation determining the value of the vehicle;



1 (5) proof of the vehicle identification number inspection, as described in subsection  
2 (d) of this section, if the department has no motor vehicle record for the vehicle;

3 (6) a weight certificate if the weight cannot otherwise be determined;

4 (7) ~~[a certification of lien satisfaction by the surety bonding company, or]~~ a release  
5 of lien, if the ~~[notice of determination letter states that there may be a]~~ lien is less than ten years  
6 old; and

7 (8) any other required documentation and fees.

8 (f) Report of Judgment. The bond must require that the surety report payment of any  
9 judgment to the department within 30 days.

10

11 §217.11. Rescission, Cancellation or Revocation by Affidavit.

12 (a) Under Transportation Code §501.051(b), the ~~[The]~~ department may rescind, cancel, or  
13 revoke an existing title or application for a title if a notarized or county stamped affidavit is  
14 completed and presented to the department within 90 days of initial sale containing all of the  
15 information required by Transportation Code §501.051(b)(1)-(4).~~[:]~~

16 ~~[(1) a statement that the vehicle involved was a new motor vehicle in the process of~~  
17 ~~a first sale;]~~

18 ~~[(2) a statement that the dealer, the applicant, and any lienholder have canceled~~  
19 ~~the sale;]~~

20 ~~[(3) a statement that the vehicle was:]~~

21 ~~[(A) never in possession of the title applicant; or]~~

22 ~~[(B) in the possession of the title applicant;]~~

1                   ~~[(4) the signatures of the dealer, the applicant, and any lienholder as principal to~~  
2                   ~~the document; and]~~

3                   ~~(b)[(5)] An affidavit must be accompanied by an odometer disclosure statement~~  
4                   ~~executed by the purchaser of the motor vehicle and acknowledged by the dealer if the vehicle was~~  
5                   ~~ever in the possession of the title applicant. [by the dealer if a statement is made pursuant to~~  
6                   ~~paragraph (3)(B) of this subsection to be used for the purpose of determining usage subsequent to~~  
7                   ~~sale.]~~

8                   ~~[(b) A rescission, cancellation, or revocation containing the statement authorized under~~  
9                   ~~subsection (a)(3)(B) of this section does not negate the fact that the vehicle has been subject to a~~  
10                   ~~previous retail sale.]~~

11

12                   217.14. Exemptions from Title.

13                   Vehicles eligible for machinery license plates and permit license plates in accordance with  
14                   Transportation Code, §502.146 ~~[registered with the following distinguishing license plates]~~ may  
15                   not be titled under Transportation Code, Chapter 501.[:]

16                   ~~[(1) vehicles eligible for machinery license plates and permit license plates in~~  
17                   ~~accordance with Transportation Code, §502.146; and]~~

18                   ~~[(2) vehicles eligible for farm trailer license plates in accordance with~~  
19                   ~~Transportation Code, §502.433, unless the owner chooses to title a farm semitrailer with a gross~~  
20                   ~~weight of more than 4,000 pounds that is registered in accordance with §502.146, as provided by~~  
21                   ~~Transportation Code, §501.036.]~~

22

23                   §217.15. Title Issuance to Government Agency for Travel Trailer.

1 (a) A government agency may apply to the department for a title to a travel trailer  
2 purchased by or transferred to the government agency if the travel trailer is being used as  
3 temporary housing in response to a natural disaster or other declared emergency.

4 (b) A government agency applying for a title under subsection (a) of this section must  
5 comply with §217.4(a), (c), and (d) of this title (relating to Initial Application for Title).

6 (c) The department will issue a title to a government agency under this section without  
7 payment of a fee if the government agency is not applying for registration at the same time. If the  
8 government agency is also applying for registration, the government agency must pay any  
9 applicable ~~[state inspection]~~ fee under Transportation Code, Chapter 548 to the department at the  
10 time of application.

11

12 §217.16. Application for Title When Dealer Goes Out of Business.

13 (a) A person who purchased a vehicle from a dealer who is required to apply for a title on  
14 the purchaser's behalf under Transportation Code, §501.0234 may apply for title as prescribed by  
15 this section if the dealer has gone out of business and did not apply for title.

16 (b) For purposes of this section, a dealer has gone out of business if:

17 (1) the dealer's license has been closed or has expired; or

18 (2) operations have ceased at the licensed location as determined by the  
19 department.

20 (c) For purposes of this section, a person must obtain a letter on department letterhead  
21 stating a dealer has gone out of business. A person may request the letter by contacting the  
22 department, including a Regional Service Center, or a county tax assessor-collector's office.

1 (d) An application under subsection (a) of this section must meet the requirements of  
2 §217.4 of this title (relating to Initial Application for Title) except the applicant:

3 (1) must provide the sales contract, retail installment agreement, or buyer's order  
4 in lieu of evidence of vehicle ownership as described in §217.5(a) of this title (relating to Evidence  
5 of Motor Vehicle Ownership);

6 (2) must provide the letter described by subsection (c) of this section; and

7 (3) is not required to provide a release of lien if the only recorded lienholder is the  
8 dealer that has gone out of business.

9 (e) If a title application under this section does not include a properly completed odometer  
10 disclosure statement, as required by Transportation Code, §501.072, the odometer brand will be  
11 recorded as "NOT ACTUAL MILEAGE."

12 (f) The department will waive the payment of the following fees if the applicant can  
13 provide evidence showing the fee was paid to the dealer:

14 (1) a title application fee under Transportation Code, §501.138;

15 (2) delinquent transfer penalty under Transportation Code, §501.146;

16 (3) all fees under Transportation Code, Chapter 502; and

17 (4) the fee associated with the issuance of a license plate or set of license plates

18 [~~buyer's temporary tag fee~~] under Transportation Code, §503.063.

19

20 **SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

21 **43 TAC §§217.22, 217.23, 217.25-29, 217.31, 217.33, 217.34, 217.36, 217.37, 217.40, 217.41,**

22 **217.43, 217.45, 217.46, AND 217.50-56**

23

1 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
2 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
3 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
4 Vehicles; Transportation Code §502.0024, as amended by HB 3297, which requires the department  
5 develop and implement a system of registration to allow an owner of a vehicle to register the vehicle for  
6 an extended period of not more than five years; Transportation Code §502.040, which authorizes the  
7 department to prescribe the process and procedures for applying for a motor vehicle registration;  
8 Transportation Code §502.059, which authorizes the department to adopt rules providing for an  
9 automated registration process; Transportation Code §502.095, as amended by HB 718, which gives the  
10 department authority to issue one-trip and 30-day license plates; Transportation Code §502.1911, which  
11 authorizes the board to adopt rules to set registration processing and handing fees; Transportation Code  
12 §502.451(c), which authorizes the department to adopt rules to provide for the issuance of specially  
13 designated license plates for vehicles exempt by law, and Transportation Code §502.451(f), which  
14 authorizes the department to adopt rules to provide for the issuance of regularly designed license plates  
15 not bearing the word “exempt” for a vehicle that is exempt by law. Transportation Code §504.0011,  
16 which gives the department authority to implement and administer Transportation Code, Chapter 504,  
17 License Plates; Transportation Code §504.010, which authorizes the department to adopt rules  
18 governing the placement of license plates on motor vehicles; Transportation Code §520.003, which  
19 authorizes the department to adopt rules to administer Transportation Code §520, Miscellaneous  
20 Provisions; Transportation Code §520.004, which authorizes the department to adopt rules to establish  
21 standards for uniformity and service quality for counties conducting registration and titling services;  
22 Transportation Code §520.0055, as created by HB 718, gives the department authority to mandate  
23 motor vehicle dealers use a department designated electronic system to submit title and registration

1 applications to county tax assessor-collectors for motor vehicle transactions; and Transportation Code  
2 §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to implement  
3 the powers and the duties of the department, as well as the statutes referenced throughout the this  
4 preamble.

5 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
6 §§502.0021, 502.0024, 502.040, 502.059, 502.095, 502.1911, 502.451(c), 502.451(f), 504.0011, 540.010,  
7 520.003, 520.004, 520.0055, and 1002.

8  
9 Text.

10 §217.22. Definitions.

11 The following words and terms, when used in this subchapter, shall have the following  
12 meanings, unless the context clearly indicates otherwise.

13 (1) Affidavit for alias exempt registration--A form prescribed by the director that  
14 must be executed by an exempt law enforcement agency to request the issuance of exempt  
15 registration in the name of an alias.

16 (2) Agent--A duly authorized representative possessing legal capacity to act for an  
17 individual or legal entity.

18 (3) Alias--The name of a vehicle registrant reflected on the registration, different  
19 than the name of the legal owner of the vehicle.

20 (4) Alias exempt registration--Registration issued under an alias to a specific vehicle  
21 to be used in covert criminal investigations by a law enforcement agency.

1 (5) Axle load--The total load transmitted to the road by all wheels whose centers  
2 may be included between two parallel transverse vertical planes 40 inches apart, extending across  
3 the full width of the vehicle.

4 (6) Border commercial zone--A commercial zone established under Title 49, C.F.R.,  
5 Part 372 that is contiguous to the border with Mexico.

6 (7) Bus--A motor vehicle used to transport persons and designed to accommodate  
7 more than 10 passengers, including the operator; or a motor vehicle, other than a taxicab,  
8 designed and used to transport persons for compensation.

9 (8) Carrying capacity--The maximum safe load that a commercial vehicle may carry,  
10 as determined by the manufacturer.

11 (9) Character--A numeric or alpha symbol displayed on a license plate.

12 (10) County or city civil defense agency--An agency authorized by a commissioner's  
13 court order or by a city ordinance to provide protective measures and emergency relief activities in  
14 the event of hostile attack, sabotage, or natural disaster.

15 (11) Current photo identification-- a government-issued photo identification that is  
16 currently valid or is within 12 months of the expiration date, or a state-issued personal identification  
17 certificate issued to a qualifying person if the identification states that it has no expiration.

18 (12)[(11)] Digital license plate--As defined in Transportation Code, §504.151.

19 (13)[(12)] Digital license plate owner--A digital license plate owner is a person who  
20 purchases or leases a digital license plate from a department-approved digital license plate  
21 provider.

22 (14)[(13)] Director--The director of the Vehicle Titles and Registration Division,  
23 Texas Department of Motor Vehicles.

1                    ~~(15)~~~~((14))~~ Division--Vehicle Titles and Registration Division.

2                    ~~(16)~~~~((15))~~ Executive administrator--The director of a federal agency, the director of  
3 a Texas state agency, the sheriff of a Texas county, or the chief of police of a Texas city that by law  
4 possesses the authority to conduct covert criminal investigations.

5                    ~~(17)~~~~((16))~~ Exempt agency--A governmental body exempted by statute from paying  
6 registration fees when registering motor vehicles.

7                    ~~(18)~~~~((17))~~ Exempt license plates--Specially designated license plates issued to  
8 certain vehicles owned or controlled by exempt agencies.

9                    ~~(19)~~~~((18))~~ Exhibition vehicle--

10                    (A) An assembled complete passenger car, truck, or motorcycle that:

11                    (i) is a collector's item;

12                    (ii) is used exclusively for exhibitions, club activities, parades, and  
13 other functions of public interest;

14                    (iii) does not carry advertising; and

15                    (iv) has a frame, body, and motor that is at least 25-years old; or

16                    (B) A former military vehicle as defined in Transportation Code, §504.502.

17                    ~~(20)~~~~((19))~~ Fire-fighting equipment--Equipment mounted on fire-fighting vehicles  
18 used in the process of fighting fires, including, but not limited to, ladders and hoses.

19                    ~~(21)~~~~((20))~~ Foreign commercial motor vehicle--A commercial motor vehicle, as  
20 defined by 49 C.F.R. §390.5, that is owned by a person or entity that is domiciled in or a citizen of a  
21 country other than the United States.



1                    ~~(22)~~~~((21))~~ GPS-- A global positioning system tracking device that can be used to  
2 determine the location of a digital license plate through data collection by means of a receiver in a  
3 digital license plate.

4                    ~~(23)~~~~((22))~~ Highway construction project--That section of the highway between the  
5 warning signs giving notice of a construction area.

6                    ~~(24)~~~~((23))~~ International symbol of access--The symbol adopted by Rehabilitation  
7 International in 1969 at its Eleventh World Congress of Rehabilitation of the Disabled.

8                    ~~[(24) Legally blind—Having not more than 20/200 visual acuity in the better eye  
9 with correcting lenses, or visual acuity greater than 20/200 but with a limitation in the field of  
10 vision such that the widest diameter of the visual field subtends an angle no greater than 20  
11 degrees.]~~

12                    (25) Legend--A name, motto, slogan, or registration expiration notification that is  
13 centered horizontally at the bottom of the license plate.

14                    (26) Make--The trade name of the vehicle manufacturer.

15                    (27) Metal license plate--A non-digital license plate issued by the department under  
16 Transportation Code Chapter 502, 503, or Chapter 504.

17                    (28) Nonprofit organization--An unincorporated association or society or a  
18 corporation that is incorporated or holds a certificate of authority under the Business  
19 Organizations Code.

20                    (29) Nominating State Agency--A state agency authorized to accept and distribute  
21 funds from the sale of a specialty plate as designated by the nonprofit organization (sponsoring  
22 entity).

1                   (30) Optional digital license plate information--Any information authorized to be  
2 displayed on a digital license plate in addition to required digital license plate information when  
3 the vehicle is in park, including:

4                           (A) an emergency alert or other public safety alert issued by a governmental  
5 entity, including an alert authorized under Subchapter L, M, or P of Government Code Chapter 411;

6                           (B) vehicle manufacturer safety recall notices;

7                           (C) advertising; or

8                           (D) a parking permit.

9                   (31) Park--As defined in Transportation Code, §541.401.

10                   (32) Political subdivision--A county, municipality, local board, or other body of this  
11 state having authority to provide a public service.

12                   (33) Primary region of interest--The field on a metal or digital license plate with  
13 alphanumeric characters representing the plate number. The primary region of interest  
14 encompasses a field of 5.75 inches in width by 1.75 inches in height on metal license plates  
15 manufactured for motorcycles, mopeds, golf carts, or off-highway vehicles. The primary region of  
16 interest encompasses a field of 8.375 inches in width by 2.5625 inches in height on metal license  
17 plates manufactured for all other vehicles.

18                   (34) Registration period--A designated period during which registration is valid. A  
19 registration period begins on the first day of a calendar month and ends on the last day of a  
20 calendar month.

21                   (35) Required digital license plate information--The minimum information required  
22 to be displayed on a digital license plate: the registration expiration month and year (unless the  
23 vehicle is a token trailer as defined by Transportation Code, §502.001), the alphanumeric

1 characters representing the plate number, the word "Texas," the registration expiration  
2 notification if the registration for the vehicle has expired; and the legend (if applicable).

3 (36) Secondary region of interest--The field on a metal or digital license plate with  
4 the word "Texas" centered horizontally at the top of the plate. The secondary region of interest  
5 encompasses a field of 2.5 inches in width by 0.5625 inches in height on metal license plates  
6 manufactured for motorcycles, mopeds, golf carts, or off-highway vehicles. The secondary region  
7 of interest encompasses a field of 6 inches in width by 1.9375 inches in height on metal license  
8 plates manufactured for all other vehicles.

9 (37) Service agreement--A contractual agreement that allows individuals or  
10 businesses to access the department's vehicle registration records.

11 (38) Specialty license plate--A special design license plate issued by the department  
12 [~~under SA~~].

13 (39) Specialty license plate fee--Statutorily or department required fee payable on  
14 submission of an application for a specialty license plate, symbol, tab, or other device, and  
15 collected in addition to statutory motor vehicle registration fees.

16 (40) Sponsoring entity--An institution, college, university, sports team, or any other  
17 non-profit individual or group that desires to support a particular specialty license plate by  
18 coordinating the collection and submission of the prescribed applications and associated license  
19 plate fees or deposits for that particular license plate.

20 (41) Street or suburban bus--A vehicle, other than a passenger car, used to  
21 transport persons for compensation exclusively within the limits of a municipality or a suburban  
22 addition to a municipality.

1 (42) Tandem axle group--Two or more axles spaced 40 inches or more apart from  
2 center to center having at least one common point of weight suspension.

3 (43) Unconventional vehicle--A vehicle built entirely as machinery from the ground  
4 up, that is permanently designed to perform a specific function, and is not designed to transport  
5 property.

6 (44) Vehicle classification--The grouping of vehicles in categories for the purpose of  
7 registration, based on design, carrying capacity, or use.

8 (45) Vehicle description--Information regarding a specific vehicle, including, but not  
9 limited to, the vehicle make, model year, body style, and vehicle identification number.

10 (46) Vehicle identification number--A number assigned by the manufacturer of a  
11 motor vehicle or the department that describes the motor vehicle for purposes of identification.

12 ~~[(47) Vehicle inspection sticker--A sticker issued by the Texas Department of Public  
13 Safety signifying that a vehicle has passed all applicable safety and emissions tests.]~~

14 ~~(47)~~(48) Vehicle registration insignia--A license plate, symbol, tab, or other device  
15 issued by the department evidencing that all applicable fees have been paid for the current  
16 registration period and allowing the vehicle to be operated on the public highways.

17 ~~(48)~~(49) Vehicle registration record--Information contained in the department's  
18 files that reflects, but is not limited to, the make, vehicle identification number, model year, body  
19 style, license number, and the name of the registered owner.

20 ~~(49)~~(50) Volunteer fire department--An association that is organized for the  
21 purpose of answering fire alarms, extinguishing fires, and providing emergency medical services.

22

23 §217.23. Initial Application for Vehicle Registration.

1 (a) An applicant for initial vehicle registration must file an application on a form prescribed  
2 by the department. The form will at a minimum require:

3 (1) the signature of the owner;

4 (2) the motor vehicle description, including, but not limited to, the motor vehicle's  
5 year, make, model, vehicle identification number, body style, carrying capacity for commercial  
6 motor vehicles, and empty weight;

7 (3) the license plate number;

8 (4) the odometer reading, or the word "exempt" if the motor vehicle is exempt  
9 from federal and state odometer disclosure requirements;

10 (5) the name and complete address of the applicant; and

11 (6) the name, mailing address, and date of any liens.

12 (b) The application must be accompanied by the following:

13 (1) evidence of vehicle ownership as specified in §217.5 of this title (relating to  
14 Evidence of Motor Vehicle Ownership) [~~Transportation Code, §501.030~~], unless the vehicle has  
15 been issued a nonrepairable or salvage vehicle title in accordance with Transportation Code,  
16 Chapter 501, Subchapter E;

17 (2) registration fees prescribed by law;

18 (3) any local fees or other fees prescribed by law and collected in conjunction with  
19 registering a vehicle;

20 (4) evidence of financial responsibility required by Transportation Code, §502.046,  
21 unless otherwise exempted by law;

22 (5) the processing and handling fee prescribed by §217.183 of this title (relating to  
23 Fee Amount); and

1 (6) any other documents or fees required by law.

2 (c) An initial application for registration must be filed with the tax assessor-collector of the  
3 county in which the owner resides or any county tax assessor-collector who is willing to accept the  
4 application, except as provided in subsection (d) of this section.

5 (d) An application for registration, as a prerequisite to filing an application for title, may be  
6 filed with the county tax assessor-collector in the county in which:

7 (1) the owner resides;

8 (2) the motor vehicle is purchased or encumbered; or

9 (3) a county tax assessor-collector who is willing to accept the application.

10

11 §217.25. Out-of-State Vehicles.

12 A vehicle brought to Texas from out-of-state must be registered within 30 days of the date  
13 on which the owner establishes residence or secures gainful employment, except as provided by  
14 Transportation Code, §502.090 and Transportation Code, §502.145. Accompanying a completed  
15 application, an applicant must provide:

16 (1) an application for title as required by Transportation Code, Chapter 501, if the  
17 vehicle to be registered has not been previously titled in this state; and

18 (2) any other documents or fees required by law.

19

20 §217.26. Identification Required.

21 (a) An application for initial registration is not acceptable unless the applicant presents a  
22 current photo identification of the owner containing a unique identification number and expiration  
23 date. The current photo identification ~~[document]~~ must be a:

1 (1) driver's license or state identification certificate issued by a state or territory of  
2 the United States;

3 (2) United States or foreign passport;

4 (3) United States military identification card;

5 (4) North Atlantic Treaty Organization identification or identification issued under a  
6 Status of Forces Agreement;

7 (5) United States Department of Homeland Security, United States Citizenship and  
8 Immigration Services, or United States Department of State identification document; or

9 (6) ~~concealed handgun license or~~ license to carry a handgun issued by the Texas  
10 Department of Public Safety under Government Code, Chapter 411, Subchapter H.

11 (b) If the motor vehicle is titled in:

12 (1) more than one name, then the identification of one owner must be presented;

13 (2) the name of a leasing company, then:

14 (A) proof of the Federal Employer Identification Number/Employee  
15 Identification Number (FEIN/EIN) of the leasing company must be submitted, written on the  
16 application, and can be entered into the department's titling system. The number must correspond  
17 to the name of the leasing company in which the vehicle is being titled; and

18 (B) the leasing company may submit:

19 (i) a current ~~[government-issued]~~ photo identification, required  
20 under this section, of the lessee listed as the registrant; or

21 (ii) a current ~~[government-issued]~~ photo identification, required  
22 under this section, of the employee or authorized agent who signed the application for the leasing  
23 company, and the employee's or authorized agent's employee identification, letter of

1 authorization written on the lessor's letterhead, or a printed business card. The printed business  
2 card, employee identification, or letter of authorization written on the lessor's letterhead must  
3 contain the name of the lessor, and the employee's or authorized agent's name must match the  
4 name on the current [~~government issued~~] photo identification;

5 (3) the name of a trust, then a current [~~government issued~~] photo identification,  
6 required under this section, of a trustee must be presented; or

7 (4) the name of a business, government entity, or organization, then:

8 (A) proof of the Federal Employer Identification Number/Employee  
9 Identification Number (FEIN/EIN) of the business, government entity, or organization must be  
10 submitted, written on the application, and can be entered into the department's titling system.

11 The number must correspond to the name of the business, government entity, or organization in  
12 which the vehicle is being titled;

13 (B) the employee or authorized agent must present a current [~~government~~  
14 ~~issued~~] photo identification, required under this section; and

15 (C) the employee's or authorized agent's employee identification; letter of  
16 authorization written on the business', government entity's, or organization's letterhead; or a  
17 printed business card. The printed business card, employee identification, or letter of  
18 authorization written on the business', government entity's, or organization's letterhead must  
19 contain the name of the business, governmental entity, or organization, and the employee's or  
20 authorized agent's name must match the name on the current [~~government issued~~] photo  
21 identification.



1           ~~[(c) Within this section, "current" is defined as not to exceed 12 months after the~~  
2 ~~expiration date, except that a state-issued personal identification certificate issued to a qualifying~~  
3 ~~person is considered current if the identification states that it has no expiration.]~~

4           (c)[(d)] Within this section, an identification document such as a printed business card,  
5 letter of authorization, or power of attorney, may be an original or photocopy.

6           (d)[(e)] A person who holds a general distinguishing number issued under Transportation  
7 Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is exempt from submitting to the county  
8 tax assessor-collector, but must retain:

- 9                   (1) the owner's identification, as required under this section; and  
10                   (2) authorization to sign, as required under this section.

11           (e)[(f)] A person who holds a general distinguishing number issued under Transportation  
12 Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is not required to submit photo  
13 identification or authorization for an employee or agent signing a title assignment with a secure  
14 power of attorney.

15           (f)[(g)] This section does not apply to non-titled vehicles.

16  
17 §217.27. Vehicle Registration Insignia.

18           (a) On receipt of a complete initial application for registration with the accompanying  
19 documents and fees, the department will issue vehicle registration insignia to be displayed on or  
20 kept in the vehicle for which the registration was issued for the current registration period.

21                   (1) If the vehicle has a windshield, the vehicle registration insignia~~[the symbol, tab,~~  
22 ~~or other device prescribed by and issued by the department]~~ shall be attached to the inside lower

1 left corner of the vehicle's front windshield in a manner that will not obstruct the vision of the  
2 driver, unless the vehicle is registered under Transportation Code, Chapter 504, Subchapter B-1.

3 (2) If the vehicle has no windshield, the symbol, tab, or other device prescribed by  
4 and issued by the department shall be attached to the rear license plate unless the vehicle is  
5 registered under Transportation Code, Chapter 504, Subchapter B-1, except that registration  
6 receipts, retained inside the vehicle, may provide the record of registration for vehicles with  
7 permanent trailer plates.

8 (3) If the vehicle is registered under Transportation Code, Chapter 504, Subchapter  
9 B-1, the registration receipt, symbol, tab, or other device prescribed by and issued by the  
10 department must be retained with the vehicle and may provide the record of registration for  
11 vehicles with a digital license plate. The expiration month and year must appear digitally on the  
12 electronic visual display of the rear digital license plate.

13 (4) If the vehicle is registered as a former military vehicle as prescribed by  
14 Transportation Code, §504.502, the vehicle's registration number shall be displayed instead of  
15 displaying a symbol, tab, or license plate.

16 (A) Former military vehicle registration numbers shall be displayed on a  
17 prominent location on the vehicle in numbers and letters of at least two inches in height.

18 (B) To the extent possible, the location and design of the former military  
19 vehicle registration number must conform to the vehicle's original military registration number.

20 (b) Unless otherwise prescribed by law, each vehicle registered under this subchapter:

21 (1) must display two license plates that are clearly visible, readable, and legible,  
22 one at the exterior front and one at the exterior rear of the vehicle that are securely fastened at  
23 the exterior front and rear of the vehicle in an upright horizontal position of not less than 12

1 inches from the ground, measuring from the bottom[, ~~except that a vehicle described by~~  
2 ~~Transportation Code, §621.2061 may place the rear plate so that it is clearly visible, readable, and~~  
3 ~~legible~~]; or

4 (2) must display one plate that is securely fastened at or as close as practical to the  
5 exterior rear of the vehicle in a position not less than 12 inches from the ground, measuring from  
6 the bottom if the vehicle is a road tractor, motorcycle, trailer or semitrailer, except that a vehicle  
7 described by Transportation Code, §621.2061 may place the rear plate so that it is clearly visible,  
8 readable, and legible.

9 (c) Each vehicle registered under this subchapter must display license plates:

10 (1) assigned by the department for the period; or

11 (2) validated by a registration insignia issued by the department for a registration  
12 period consisting of 12 consecutive months at the time of application for registration, except that:

13 (A) vehicles described by Transportation Code, §502.0024 [~~trailers,~~  
14 ~~semitrailers, or pole trailers not subject to inspection under §548.052(3)~~] may obtain a registration  
15 insignia for a period consisting of 12, 24, 36, 48 or 60 consecutive months on payment of all fees  
16 for each full year of registration; and

17 (B) vehicles may be registered for 24 consecutive months in accordance  
18 with Transportation Code, §548.102 on payment of all fees for each year of registration, regardless  
19 of the number of months remaining on the inspection at the time of registration, provided:

20 (i) the vehicle receives a two-year inspection under Transportation  
21 Code, §548.102; and

22 (ii) the application for registration is made in the name of the  
23 purchaser under Transportation Code, §501.0234.

1 (d) The department may cancel any license plate issued with a personalized license plate  
2 number [~~alphanumeric pattern~~] if the department subsequently determines or discovers that the  
3 personalized license plate number [~~alphanumeric pattern~~] did not comply with this section when  
4 the license plate was issued, or if due to changing language usage, meaning, or interpretation, the  
5 personalized license plate number [~~alphanumeric pattern~~] no longer complies with this section.  
6 When reviewing a personalized license plate number [~~alphanumeric pattern~~], the department need  
7 not consider the applicant's subjective intent or declared meaning. The department will not issue  
8 any license plate containing a personalized license plate number [~~alphanumeric pattern~~] that  
9 meets one or more of the following criteria:

10 (1) The license plate number [~~alphanumeric pattern~~] conflicts with the  
11 department's current or proposed general issue [~~regular~~] license plate numbering system.

12 (2) The director or the director's designee finds that the personalized license plate  
13 number [~~alphanumeric pattern~~] may be considered objectionable. An objectionable license plate  
14 number [~~alphanumeric pattern~~] may include words, [~~or~~] phrases, or slang in any language;  
15 phonetic, numeric, or reverse spelling; acronyms; patterns viewed in mirror image; or code that  
16 only a small segment of the community may be able to readily decipher. An objectionable pattern  
17 may be viewed as:

18 (A) indecent (defined as including a direct reference or connotation to a  
19 sexual act, sexual body parts, excreta, or sexual bodily fluids or functions. Additionally, the license  
20 plate number [~~alphanumeric pattern~~] "69" is prohibited unless used with the full year (1969) or in  
21 combination with a reference to a vehicle;

22 (B) vulgar, directly or indirectly (defined as profane, swear, or curse words);

1 (C) derogatory, directly or indirectly (defined as an expression that is  
2 demeaning to, belittles, or disparages any person, group, race, ethnicity, nationality, gender, or  
3 sexual orientation. "Derogatory" may also include a reference to an organization that advocates  
4 the expressions described in this subparagraph);

5 (D) a direct or indirect negative instruction or command directed at another  
6 individual related to the operation of a motor vehicle;

7 (E) a direct or indirect reference to gangs, illegal activities, implied threats  
8 of harm, or expressions that describe, advertise, advocate, promote, encourage, glorify, or  
9 condone violence, crime, or unlawful conduct;

10 (F) a direct or indirect reference to controlled substances or the  
11 physiological state produced by such substances, intoxicated states, or a direct or indirect  
12 reference that may express, describe, advertise, advocate, promote, encourage, or glorify such  
13 substances or states;

14 (G) a direct representation of law enforcement or other governmental  
15 entities, including any reference to a public office or position exclusive to government; or

16 (H) a pattern that could be misread by law enforcement.

17 (3) The license plate number [~~alphanumeric pattern~~] is currently on a license plate  
18 issued to another owner.

19 (e) Notwithstanding the provisions of this section, the department may issue license plates  
20 with personalized license plate numbers [~~alphanumeric patterns~~] that refer to:

21 (1) military branches, military rank, military units, military equipment, or status; or

22 (2) institutions of higher education, including military academies, whether funded  
23 privately, by the state, or by the federal government.

1 (f) A decision to cancel or not to issue a license plate with a personalized license plate  
2 number [~~alphanumeric pattern~~] under subsection (d) of this section may be appealed to the  
3 executive director of the department or the executive director's designee within 20 days of  
4 notification of the cancellation or non-issuance. All appeals must be in writing, and the requesting  
5 party may include any written arguments, but shall not be entitled to a contested case hearing.  
6 The executive director or the executive director's designee will issue a decision no later than 30  
7 days after the department receives the appeal, unless additional information is sought from the  
8 requestor, in which case the time for decision is tolled until the additional information is provided.  
9 The decision of the executive director or the executive director's designee is final and may not be  
10 appealed to the board. An appeal to the executive director or the executive director's designee is  
11 denied by operation of law 31 days from the receipt of the appeal, or if the requestor does not  
12 provide additional requested information within ten days of the request.

13 (g) The provisions of subsection (a) of this section do not apply to vehicles registered with  
14 annual license plates issued by the department.

15 (h) A person whose initial application has been denied will receive a refund if the denial is  
16 not appealed in accordance with subsection (f) of this section. If an existing license plate with a  
17 personalized license plate number [~~alphanumeric pattern~~] has been canceled, the person may  
18 choose a new personalized license plate number [~~alphanumeric pattern~~] that will be valid for the  
19 remainder of the term, or the remaining term of the canceled license plate will be forfeited.

20

21 §217.28. Vehicle Registration Renewal.

1 (a) To renew vehicle registration, a vehicle owner must apply to the tax assessor-collector  
2 of the county in which the owner resides or a county tax assessor-collector who is willing to accept  
3 the application.

4 (b) The department will send a registration renewal notice, indicating the proper  
5 registration fee and the month and year the registration expires, to each vehicle owner prior to the  
6 expiration of the vehicle's registration.

7 (c) The registration renewal notice should be returned by the vehicle owner to the county  
8 tax assessor-collector in the county in which the owner resides or a county tax assessor-collector  
9 who is willing to accept the application, or to that tax assessor-collector's deputy, either in person  
10 or by mail, unless the vehicle owner renews via the Internet. The renewal notice must be  
11 accompanied by the following documents and fees:

12 (1) registration renewal fees prescribed by law;

13 (2) any local fees or other fees prescribed by law and collected in conjunction with  
14 registration renewal; and

15 (3) evidence of financial responsibility required by Transportation Code, §502.046,  
16 unless otherwise exempted by law.

17 (d) If a registration renewal notice is lost, destroyed, or not received by the vehicle owner,  
18 the vehicle may be registered if the owner presents personal identification acceptable to the  
19 county tax assessor-collector or via the Internet. Failure to receive the notice does not relieve the  
20 owner of the responsibility to renew the vehicle's registration.

21 (e) Renewal of expired vehicle registrations.

1           ~~[(1) In accordance with Transportation Code, §502.407, a vehicle with an expired~~  
2 ~~registration may not be operated on the highways of the state after the fifth working day after the~~  
3 ~~date a vehicle registration expires.]~~

4           (1)~~[(2)]~~ If the owner has been arrested or cited for operating the vehicle without  
5 valid registration then a 20% delinquency penalty is due when registration is renewed, the full  
6 annual fee will be collected, and the vehicle registration expiration month will remain the same.

7           (2)~~[(3)]~~ If the county tax assessor-collector or the department determines that a  
8 registrant has a valid reason for being delinquent in registration, the vehicle owner will be  
9 required to pay for 12 months' registration. Renewal will establish a new registration expiration  
10 month that will end on the last day of the eleventh month following the month of registration  
11 renewal.

12           (3)~~[(4)]~~ If the county tax assessor-collector or the department determines that a  
13 registrant does not have a valid reason for being delinquent in registration, the full annual fee will  
14 be collected and the vehicle registration expiration month will remain the same.

15           (4)~~[(5)]~~ Specialty license plates, symbols, tabs, or other devices may be prorated as  
16 provided in §217.45(d)(2) of this title (relating to Specialty License Plates, Symbols, Tabs, and  
17 Other Devices).

18           (5)~~[(6)]~~ Evidence of a valid reason may include receipts, passport dates, and military  
19 orders. Valid reasons may include:

- 20                   (A) extensive repairs on the vehicle;
- 21                   (B) the person was out of the country;
- 22                   (C) the vehicle is used only for seasonal use;
- 23                   (D) military orders;



- 1 (E) storage of the vehicle;
- 2 (F) a medical condition such as an extended hospital stay; and
- 3 (G) any other reason submitted with evidence that the county tax assessor-
- 4 collector or the department determines is valid.

5 (6) The operation of a vehicle with an expired registration that has been stored or

6 otherwise not in operation that is driven only to an inspection station for the purpose of obtaining

7 an inspection, if applicable, required for registration, will not affect the determination of whether

8 the registrant has a valid or invalid reason for being delinquent.

9 (f) For purposes of Transportation Code §502.407(c), the county tax assessor-collector's

10 office of the county in which the owner resides is closed for a protracted period of time if the

11 county tax assessor-collector's office has notified the department that it is closed or will be closed

12 for more than one week.

13

14 §217.29. Vehicle Registration Renewal via Internet.

15 (a) Internet registration renewal program. The department will maintain a uniform Internet

16 registration renewal process. This process will provide for the renewal of vehicle registrations via

17 the Internet and will be in addition to vehicle registration procedures provided for in §217.28 of

18 this title (relating to Vehicle Registration Renewal). The Internet registration renewal program will

19 be facilitated by a third-party vendor.

20 (b) County participation in program. All county tax assessor-collectors shall process

21 registration renewals through an online system designated by the department.

1 (c) Eligibility of individuals for participation. To be eligible to renew a vehicle's registration  
2 via the Internet, the vehicle owner must meet all criteria for registration renewal outlined in this  
3 subchapter and in Transportation Code, Chapter 502.

4 ~~[(d) Fees. This subsection applies to vehicle registrations expiring prior to January 1, 2017~~  
5 ~~that are submitted for renewal prior to July 1, 2017. A vehicle owner who renews registration via~~  
6 ~~the Internet must pay:]~~

7 ~~[(1) registration fees prescribed by law;]~~

8 ~~[(2) any local fees or other fees prescribed by law and collected in conjunction with~~  
9 ~~registering a vehicle;]~~

10 ~~[(3) a fee of \$1 for the processing of a registration renewal by mail in accordance~~  
11 ~~with Transportation Code, §502.197(a); and]~~

12 ~~[(4) a convenience fee of \$2 for the processing of an electronic registration renewal~~  
13 ~~paid by a credit card payment in accordance with Transportation Code, §1001.009.]~~

14 (d)~~[(e)]~~ Information to be submitted by vehicle owner. A vehicle owner who renews  
15 registration via the Internet must submit or verify the following information:

16 (1) registrant information, including the vehicle owner's name and county of  
17 residence;

18 (2) vehicle information, including the license plate number of the vehicle to be  
19 registered;

20 (3) insurance information, including the name of the insurance company, the name  
21 of the insurance company's agent (if applicable), the telephone number of the insurance company  
22 or agent (local or toll free number serviced Monday through Friday 8:00 a.m. to 5:00 p.m.), the  
23 insurance policy number, and representation that the policy meets all applicable legal standards;

1 (4) credit card information, including the type of credit card, the name appearing  
2 on the credit card, the credit card number, and the expiration date; and

3 (5) other information prescribed by rule or statute.

4 ~~[(f) Duties of the county. For vehicle registrations that expire prior to January 1, 2017 that  
5 are submitted for renewal prior to July 1, 2017, a county tax assessor-collector shall:]~~

6 ~~[(1) accept electronic payment for vehicle registration renewal via the Internet;]~~

7 ~~[(2) execute an agreement with the department as provided by the director;]~~

8 ~~[(3) process qualified Internet registration renewal transactions as submitted by the  
9 third-party vendor;]~~

10 ~~[(4) communicate with the third-party vendor and applicants via email, regular  
11 mail, or other means, as specified by the director;]~~

12 ~~[(5) promptly mail renewal registration validation stickers and license plates to  
13 applicants;]~~

14 ~~[(6) ensure that all requirements for registration renewal are met, including all  
15 requirements set forth in this subchapter, and in Transportation Code, Chapter 502;]~~

16 ~~[(7) reject applications that do not meet all requirements set forth in this chapter,  
17 and in Transportation Code, Chapter 502; and]~~

18 ~~[(8) register each vehicle for a 12-month period.]~~

19 ~~(e)[(g)] Duties of the county. [For vehicle registrations that expire on or after January 1,  
20 2017, and registrations that expired prior to January 1, 2017 that are submitted for renewal on or  
21 after July 1, 2017,] A[a] county tax assessor-collector shall:~~

22 (1) accept electronic payment for vehicle registration renewal via the Internet;

23 (2) execute an agreement with the department as provided by the director;

1 (3) process qualified Internet registration renewal transactions as submitted by the  
2 third-party vendor;

3 (4) communicate with the third-party vendor and applicants via email, regular mail,  
4 or other means, as specified by the director;

5 (5) reject applications that do not meet all requirements set forth in this chapter,  
6 and in Transportation Code, Chapter 502; and

7 (6) register each vehicle for a 12-month period.

8 ~~(f)(h)~~ Duties of the department. For vehicle registration renewals ~~[registrations]~~ that are  
9 submitted via the Internet, the department and its centralized third-party vendor shall promptly  
10 facilitate and mail vehicle registration insignias to applicants ~~[expire on or after January 1, 2017,~~  
11 ~~and registrations that expired prior to January 1, 2017 that are submitted for renewal on or after~~  
12 ~~July 1, 2017, the department shall promptly mail renewal registration validation stickers and~~  
13 ~~license plates to applicants].~~

14

15 §217.31. Heavy Vehicle Use Tax.

16 (a) As applicable, an applicant must provide proof of payment of the heavy vehicle use tax  
17 imposed by 26 U.S.C. §4481, et seq. and 26 C.F.R. Part 41 with an application under this chapter as  
18 required by 26 C.F.R. §41.6001-2.

19 (b) The department adopts by reference 26 C.F.R. §41.6001-2.

20

21 §217.33. Commercial Farm Motor Vehicles, Farm Trailers, and Farm Semitrailers.

22 (a) An applicant must provide a properly completed application for farm license plates.

23 Except as provided by subsection (d) of this section, the application must be accompanied by proof

1 of the applicant's Texas Agriculture or Timber Exemption Registration Number issued by the Texas  
2 Comptroller of Public Accounts. Proof of the registration number must be:

3 (1) legible;

4 (2) current; and

5 (3) in the name of the person or dba in which the vehicle is or will be registered,  
6 pursuant to Transportation Code, §502.146 and §502.433.

7 (b) A registration renewal of farm license plates must be accompanied by proof of the  
8 applicant's Texas Agriculture or Timber Exemption Registration Number issued by the Texas  
9 Comptroller of Public Accounts.

10 (c) In accordance with Transportation Code, §502.146 and §502.433, an applicant's Texas  
11 Agriculture or Timber Exemption Registration Number may be verified through the online system  
12 established by the Comptroller.

13 (d) A farmers' cooperative society incorporated under Agriculture Code, Chapter 51, or a  
14 marketing association organized under Agriculture Code, Chapter 52 applying for or renewing the  
15 registration of farm license plates under this section is not required to submit proof of the  
16 applicant's Texas Agriculture or Timber Exemption Registration issued by the Texas Comptroller of  
17 Public Accounts.

18

19 §217.36. Refusal to Register by Local Government and Record Notation.

20 (a) Enforcement of traffic warrant. A municipality may enter into a contract with the  
21 department under Government Code, Chapter 791, to indicate in the state's motor vehicle records  
22 that the owner of the vehicle is a person for whom a warrant of arrest is outstanding for failure to  
23 appear or who has failed to pay a fine on a complaint involving a violation of a traffic law. In

1 accordance with Transportation Code, §702.003, a county tax assessor-collector may refuse to  
2 register a motor vehicle if such a failure is indicated in the motor vehicle record for that motor  
3 vehicle. A municipality is responsible for obtaining the agreement of the county in which the  
4 municipality is located to refuse to register motor vehicles for failure to pay civil penalties imposed  
5 by the municipality.

6 (b) Refusal to register vehicle in certain counties. A county may enter into a contract with  
7 the department under Government Code, Chapter 791 to indicate in the state's motor vehicle  
8 records that the owner of the vehicle has failed to pay a fine, fee, or tax that is past due. In  
9 accordance with Transportation Code, §502.010, a county tax assessor-collector may refuse to  
10 register a motor vehicle if such a failure is indicated in the motor vehicle record for that motor  
11 vehicle.

12 (c) Record notation. A contract between the department and a county, municipality, or  
13 local authority entered into under Transportation Code §502.010 or Transportation Code §702.003  
14 will contain the terms set out in this subsection.

15 (1) To place or remove a registration denial flag on a vehicle record, the contracting  
16 entity must submit data electronically by secure file transfer protocol [~~a magnetic tape~~] or other  
17 acceptable submission medium as determined by the department in a format prescribed by the  
18 department.

19 (2) The information submitted by the contracting entity will include, at a minimum,  
20 the vehicle identification number and the license plate number of the affected vehicle.

21 (3) If the contracting entity data submission contains bad or corrupted data, the  
22 submission medium will be returned to the contracting entity with no further action by the  
23 department.

1                   (4) The secure file transfer protocol [~~magnetic tape~~] or other submission medium  
2 must be submitted to the department from a single source within the contracting entity.

3                   (5) The submission of a secure file transfer protocol [~~magnetic tape~~] or other  
4 submission medium to the department by a contracting entity constitutes a certification by that  
5 entity that it has complied with all applicable laws.

6

7 §217.37. Fees.

8                   [~~(a)~~] The department and the county will charge required fees, and only those fees  
9 provided by statute or rule.

10                   [~~(b) A \$2 fee for a duplicate registration receipt will be charged if a receipt is printed for~~  
11 ~~the customer.~~]

12

13 §217.40. Special Registrations.

14                   (a) Purpose and scope. Transportation Code, Chapter 502, Subchapters C and I, charge the  
15 department with the responsibility of issuing special registration permits and special registration  
16 license plates, which shall be recognized as legal registration for the movement of motor vehicles  
17 not authorized to travel on Texas public highways for lack of registration or for lack of reciprocity  
18 with the state or country in which the vehicles are registered. For the department to efficiently  
19 and effectively perform these duties, this section prescribes the policies and procedures for the  
20 application and the issuance of special [~~temporary~~] registration permits and special registration  
21 license plates.

22                   (b) Permit categories. The department will issue the following categories of special  
23 registration permits.

1 (1) Additional weight permits in accordance with Transportation Code, §502.434.

2 ~~[The owner of a truck, truck tractor, trailer, or semitrailer may purchase temporary additional~~  
3 ~~weight permits for the purpose of transporting the owner's own seasonal agricultural products to~~  
4 ~~market or other points for sale or processing in accordance with Transportation Code, §502.434. In~~  
5 ~~addition, such vehicles may be used for the transportation without charge of seasonal laborers~~  
6 ~~from their place of residence, and materials, tools, equipment, and supplies from the place of~~  
7 ~~purchase or storage, to a farm or ranch exclusively for use on such farm or ranch.]~~

8 ~~[(A) Additional weight permits are valid for a limited period of less than one~~  
9 ~~year.]~~

10 ~~[(B) An additional weight permit will not be issued for a period of less than~~  
11 ~~one month or extended beyond the expiration of a license plate issued under Transportation Code,~~  
12 ~~Chapter 502.]~~

13 ~~[(C) The statutory fee for an additional weight permit is based on a~~  
14 ~~percentage of the difference between the owner's annual registration fee and the annual fee for~~  
15 ~~the desired gross vehicle weight computed as follows:]~~

16 ~~[(i) one month (or 30 consecutive days) 10%;]~~

17 ~~[(ii) one quarter (three consecutive months) 30%;]~~

18 ~~[(iii) two quarters (six consecutive months) 60%; or]~~

19 ~~[(iv) three quarters (nine consecutive months) 90%.]~~

20 ~~[(D) Additional weight permits are issued for calendar quarters with the first~~  
21 ~~quarter to begin on April 1st of each year.]~~

22 ~~(A)~~~~[(E)]~~ A permit will not be issued unless the registration fee for hauling  
23 the additional weight has been paid prior to the actual hauling.



1                    ~~(B)~~~~(F)~~ An applicant must provide proof of the applicant's Texas Agriculture  
2 or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts.

3 Proof of the registration number must be:

4                    (i) legible;

5                    (ii) current;

6                    (iii) in the name of the person or dba in which the vehicle is or will  
7 be registered; and

8                    (iv) verifiable through the online system established by the  
9 Comptroller.

10                    (2) Annual permits in accordance with Transportation Code, §502.093.

11                    (A) ~~[Transportation Code, §502.093 authorizes the department to issue~~  
12 ~~annual permits to provide for the movement of foreign commercial vehicles that are not~~  
13 ~~authorized to travel on Texas highways for lack of registration or for lack of reciprocity with the~~  
14 ~~state or country in which the vehicles are registered.]~~ The department will issue annual permits:

15                    (i) for a 12-month period designated by the department which  
16 begins on the first day of a calendar month and expires on the last day of the last calendar month  
17 in that annual registration period; and

18                    (ii) to each vehicle or combination of vehicles for the registration  
19 fee prescribed by weight classification in Transportation Code, §502.253 and §502.255.

20                    ~~[(B) The department will not issue annual permits for the importation of~~  
21 ~~citrus fruit into Texas from a foreign country except for foreign export or processing for foreign~~  
22 ~~export.]~~

1                                    (B)[(C)] The following exemptions apply to vehicles displaying annual  
2 permits.

3                                    (i) Currently registered foreign semitrailers having a gross weight in  
4 excess of 6,000 pounds used or to be used in combination with commercial motor vehicles or truck  
5 tractors having a gross vehicle weight in excess of 10,000 pounds are exempted from the  
6 requirements to pay the token fee and display the associated distinguishing license plate provided  
7 for in Transportation Code, §502.255. An annual permit is required for the power unit only. For  
8 vehicles registered in combination, the combined gross weight may not be less than 18,000  
9 pounds.

10                                   (C) Upon approval of an application, the department will issue one license  
11 plate for a trailer, semitrailer, or foreign commercial motor vehicle as defined in Transportation  
12 Code, §648.001(4). The license plate issued to a truck-tractor shall be installed on the front of the  
13 truck-tractor. For other types of vehicles, the license plate issued shall displayed as required by  
14 §217.27(b) of this title (relating to Vehicle Registration Insignia).

15                                   ~~[(ii) Vehicles registered with annual permits are not subject to the~~  
16 ~~optional county registration fee under Transportation Code, §502.401; the optional county fee for~~  
17 ~~transportation projects under Transportation Code, §502.402; or the optional registration fee for~~  
18 ~~child safety under Transportation Code, §502.403.]~~

19                                   (3) 72-hour permits and 144-hour permits in accordance with Transportation Code,  
20 §502.094.

21                                   ~~[(A) In accordance with Transportation Code, §502.094, the department will~~  
22 ~~issue a permit valid for 72 hours or 144 hours for the movement of commercial motor vehicles,~~

1 trailers, semitrailers, and motor buses owned by residents of the United States, Mexico, or  
2 Canada.]

3 [(B) A 72-hour permit or a 144-hour permit is valid for the period of time  
4 stated on the permit beginning with the effective day and time as shown on the permit registration  
5 receipt.]

6 [(C) Vehicles displaying 72-hour permits or 144-hour permits are subject to  
7 vehicle safety inspection in accordance with Transportation Code, §548.051, except for:]

8 [(i) vehicles currently registered in another state of the United  
9 States, Mexico, or Canada; and]

10 [(ii) mobile drilling and servicing equipment used in the production  
11 of gas, crude petroleum, or oil, including, but not limited to, mobile cranes and hoisting  
12 equipment, mobile lift equipment, forklifts, and tugs.]

13 [(D) The department will not issue a 72-hour permit or a 144-hour permit to  
14 a commercial motor vehicle, trailer, semitrailer, or motor bus apprehended for violation of Texas  
15 registration laws. Apprehended vehicles must be registered under Transportation Code, Chapter  
16 502.]

17 [(4) Temporary agricultural permits.]

18 [(A) Transportation Code, §502.092 authorizes the department to issue a  
19 30-day temporary nonresident registration permit to a nonresident for any truck, truck tractor,  
20 trailer, or semitrailer to be used in the movement of all agriculture products produced in Texas:]

21 [(i) from the place of production to market, storage, or railhead not  
22 more than 75 miles from the place of production; or]

1    ~~[(ii) to be used in the movement of machinery used to harvest~~  
2 ~~Texas-produced agricultural products.]~~

3    ~~[(B) The department will issue a 30-day temporary nonresident registration~~  
4 ~~permit to a nonresident for any truck, truck tractor, trailer, or semitrailer used to move or harvest~~  
5 ~~farm products, produced outside of Texas, but:]~~

6    ~~[(i) marketed or processed in Texas; or]~~

7    ~~[(ii) moved to points in Texas for shipment from the point of entry~~  
8 ~~into Texas to market, storage, processing plant, railhead or seaport not more than 80 miles from~~  
9 ~~such point of entry into Texas.]~~

10   ~~[(C) The statutory fee for temporary agricultural permits is one-twelfth of~~  
11 ~~the annual Texas registration fee prescribed for the vehicle for which the permit is issued.]~~

12   ~~[(D) The department will issue a temporary agricultural permit only when~~  
13 ~~the vehicle is legally registered in the nonresident's home state or country for the current~~  
14 ~~registration year.]~~

15   ~~[(E) The number of temporary agricultural permits is limited to three~~  
16 ~~permits per nonresident owner during any one vehicle registration year.]~~

17   ~~[(F) Temporary agricultural permits may not be issued to farm licensed~~  
18 ~~trailers or semitrailers.]~~

19   (c) License plate categories. The department will issue the following categories of special  
20 registration license plates.

21   ~~(1)~~~~[(5)]~~One-trip license plates ~~[permits]~~ in accordance with Transportation Code,  
22 §502.095, ~~[authorizes the department to temporarily register any unladen vehicle upon application~~  
23 ~~to provide for the movement of the vehicle for one trip, when the vehicle is subject to Texas~~

1 ~~registration and not authorized to travel on the public roadways for lack of registration or lack of~~  
2 ~~registration reciprocity.]~~

3 ~~[(A) Upon receipt of the \$5 fee, registration will be valid for one trip only~~  
4 ~~between the points of origin and destination and intermediate points as may be set forth in the~~  
5 ~~application and registration receipt.]~~

6 ~~[(B) The department will issue a one-trip permit to a bus which is not~~  
7 ~~covered by a reciprocity agreement with the state or country in which it is registered to allow for~~  
8 ~~the transit of the vehicle only. The vehicle should not be used for the transportation of any~~  
9 ~~passenger or property, for compensation or otherwise, unless such bus is operating under charter~~  
10 ~~from another state or country.]~~

11 ~~[(C) A one-trip permit is valid for a period up to 15 days from the effective~~  
12 ~~date of registration.]~~

13 ~~(A)[(D)] A one-trip license plate[permit] may not be issued for a trip which~~  
14 ~~both originates and terminates outside Texas.~~

15 ~~(B)[(E)] A laden motor vehicle or a laden commercial vehicle cannot display~~  
16 ~~a one-trip license plate[permit]. If the vehicle is unregistered, it must operate with a 72-hour or~~  
17 ~~144-hour permit.~~

18 ~~(C) A one-trip license plate must be displayed as required by §217.27(b) of~~  
19 ~~this title (relating to Vehicle Registration Insignia).~~

20 ~~(2)[(6)] 30-day license plates [temporary registration permits] in accordance with~~  
21 ~~Transportation Code, §502.095 [authorizes the department to issue a temporary registration~~  
22 ~~permit valid for 30 days for a \$25 fee].~~

1                   (A) A vehicle operated on a 30-day license plate [~~temporary permit~~] is not  
2 restricted to a specific route. The 30-day license plate [~~permit~~] is available for:  
3                   (i) [~~(A)~~] passenger vehicles;  
4                   [~~(B) motorcycles;~~]  
5                   (ii) [~~(C)~~] private buses;  
6                   (iii) [~~(D)~~] trailers and semitrailers with a gross weight not exceeding  
7 10,000 pounds;  
8                   (iv) [~~(E)~~] light commercial vehicles not exceeding a gross weight of  
9 10,000 pounds; and  
10                  (v) [~~(F)~~] a commercial vehicle exceeding 10,000 pounds, provided the  
11 vehicle is operated unladen.

12                   (B) A 30-day license plate must be displayed as required by §217.27(b) of  
13 this title (relating to Vehicle Registration Insignia).

14                   (d) [~~(e)~~] Application process.

15                   (1) Procedure. An owner who wishes to apply for a special [~~temporary~~] registration  
16 permit or special registration license plate for a vehicle which is otherwise required to be  
17 registered in accordance with this subchapter, must do so on a form prescribed by the  
18 department.

19                   (2) Form requirements. The application form will at a minimum require:

20                               (A) the signature of the owner;

21                               (B) the name and complete address of the applicant; and

22                               (C) the vehicle description.

23                   (3) Fees and documentation. The application must be accompanied by:

1 (A) statutorily prescribed fees, [~~unless the applicant is exempt from fees~~  
2 ~~under Transportation Code, §501.0236 and provides the letter specified in §217.16(c) of this title~~  
3 ~~(relating to Application for Title When Dealer Goes Out of Business);~~]

4 (B) evidence of financial responsibility:

5 (i) as required by Transportation Code, Chapter 502, Subchapter B,  
6 provided that all policies written for the operation of motor vehicles must be issued by an  
7 insurance company or surety company authorized to write motor vehicle liability insurance in  
8 Texas; or

9 (ii) if the applicant is a motor carrier as defined by §218.2 of this  
10 title (relating to Definitions), indicating that the vehicle is registered in compliance with Chapter  
11 218, Subchapter B of this title (relating to Motor Carrier Registration); and

12 (C) any other documents or fees required by law.

13 (4) Place of application.

14 (A) All applications for annual permits must be submitted directly to the  
15 department for processing and issuance.

16 (B) Additional weight permits [~~and temporary agricultural permits~~] may be  
17 obtained by making application with the department through the county tax assessor-collectors'  
18 offices.

19 (C) 72-hour and 144-hour permits, one-trip license plates [~~permits~~], and 30-  
20 day license plates [~~temporary registration permits~~] may be obtained by making application either  
21 with the department or the county tax assessor-collectors' offices.

22 (e)[~~(d)~~] Receipt for special registration permit or special registration license plate in lieu of  
23 registration. A receipt will be issued for each special registration permit or special registration

1 license plate in lieu of registration to be carried in the vehicle during the time the special  
2 registration permit or special registration license plate is valid. [~~A one-trip or 30-day trip permit~~  
3 ~~must be displayed as required by Transportation Code, §502.095(f).~~] If the receipt is lost or  
4 destroyed, the owner must obtain a duplicate from the department or from the county office. The  
5 fee for the duplicate receipt is the same as the fee required by Transportation Code, §502.058.

6 (f)[(e)] Transfer of special registration [~~temporary~~] permits or special registration license  
7 plates.

8 (1) Special registration [~~Temporary~~] permits and special registration license plates  
9 are non-transferable between vehicles and/or owners.

10 (2) If the owner of a vehicle displaying a special registration [~~temporary~~] permit or a  
11 special registration license plate disposes of the vehicle during the time the permit or license plate  
12 is valid, the permit or license plate must be returned to the county tax assessor-collector office or  
13 department immediately.

14 (g)[(f)] Replacement permits. Vehicle owners displaying annual permits may obtain  
15 replacement permits if an annual permit is lost, stolen, or mutilated.

16 (1) The fee for a replacement annual permit is the same as for a replacement  
17 number plate, symbol, tab, or other device as provided by Transportation Code, §502.060.

18 (2) The owner shall apply directly to the department in writing for the issuance of a  
19 replacement annual permit. Such request should include a copy of the registration receipt  
20 and replacement fee.

21 (h)[(g)] Agreements with other jurisdictions. In accordance with Transportation Code,  
22 §502.091, and Chapter 648, the executive director of the department may enter into a written  
23 agreement with an authorized officer of a state, province, territory, or possession of a foreign



1 country to provide for the exemption from payment of registration fees by nonresidents, if  
2 residents of this state are granted reciprocal exemptions. The executive director may enter into  
3 such agreement only upon:

4 (1) the approval of the governor; and

5 (2) making a determination that the economic benefits to the state outweigh all  
6 other factors considered.

7 (i)~~(h)~~ Border commercial zones.

8 (1) Texas registration required. A vehicle located in a border commercial zone must  
9 display a valid Texas registration if the vehicle is owned by a person who:

10 (A) owns a leasing facility or a leasing terminal located in Texas; and

11 (B) leases the vehicle to a foreign motor carrier.

12 (2) Exemption for trips of short duration. Except as provided by paragraph (1) of  
13 this subsection, a foreign commercial vehicle operating in accordance with Transportation Code,  
14 Chapter 648 is exempt from the display of a temporary registration permit if:

15 (A) the vehicle is engaged solely in the transportation of cargo across the  
16 border into or from a border commercial zone;

17 (B) for each load of cargo transported the vehicle remains in this state for:

18 (i) not more than 24 hours; or

19 (ii) not more than 48 hours, if:

20 (I) the vehicle is unable to leave this state within 24 hours  
21 because of circumstances beyond the control of the motor carrier operating the vehicle; and

22 (II) all financial responsibility requirements applying to this  
23 vehicle are satisfied;

1 (C) the vehicle is registered and licensed as required by the country in which  
2 the person that owns the vehicle is domiciled or is a citizen as evidenced by a valid metal license  
3 plate attached to the front or rear exterior of the vehicle; and

4 (D) the country in which the person who owns the vehicle is domiciled or is  
5 a citizen provides a reciprocal exemption for commercial motor vehicles owned by residents of  
6 Texas.

7 (3) Exemption due to reciprocity agreement. Except as provided by paragraph (1) of  
8 this subsection, a foreign commercial motor vehicle in a border commercial zone in this state is  
9 exempt from the requirement of obtaining a Texas registration if the vehicle is currently registered  
10 in another state of the United States or a province of Canada with which this state has a reciprocity  
11 agreement that exempts a vehicle that is owned by a resident of this state and that is currently  
12 registered in this state from registration in the other state or province.

13

14 §217.41. Disabled Person License Plates and Disabled Parking Placards.

15 (a) Purpose. Transportation Code, Chapters 504 and 681, charge the department with the  
16 responsibility for issuing specially designed license plates and disabled parking placards for  
17 disabled persons. For the department to perform these duties efficiently and effectively, this  
18 section prescribes the policies and procedures for the application, issuance, and renewal of  
19 disabled person license plates and disabled parking placards.

20 (b) Issuance.

21 (1) For purposes of this section, "disabled person" means a person eligible for  
22 issuance of a license plate bearing the International Symbol of Access under Transportation Code  
23 §504.201, including a qualifying disabled veteran under §504.202(b-1).

1 (2) Disabled person license plates.

2 (A) Eligibility. In accordance with Transportation Code §504.201 and  
3 §504.202(b-1) and (b-2), the department will issue specially designed license plates displaying the  
4 International Symbol of Access to permanently disabled persons or their transporters instead of  
5 general issue [~~regular motor vehicle~~] license plates. As satisfactory proof of eligibility, an  
6 organization that transports disabled veterans who would qualify for license plates issued under  
7 Transportation Code §504.202(b-1) must provide a written statement from the veteran's county  
8 service officer of the county in which a vehicle described by Transportation Code §504.202(c) is  
9 registered or by the Department of Veterans Affairs that:

10 (i) the vehicle is used exclusively to transport veterans of the United  
11 States armed forces who have suffered, as a result of military service, a service-connected  
12 disability;

13 (ii) the vehicle regularly transports veterans who are eligible to  
14 receive license plates under Subsection (b-1); and

15 (iii) the veterans are not charged for the transportation.

16 (B) Specialty license plates. The department will issue disabled person  
17 specialty license plates displaying the International Symbol of Access that can accommodate the  
18 identifying insignia and that are issued in accordance with §217.43 or §217.45 of this title.

19 (C) License plate number. Disabled person license plates will bear a license  
20 plate number assigned by the department or will bear a personalized license plate number issued  
21 in accordance with §217.43 or §217.45 of this title.

22 (3) Windshield disabled parking placards.

1 (A) Issuance. The department will issue removable windshield disabled  
2 parking placards to temporarily or permanently disabled persons and to the transporters of  
3 permanently disabled persons, as provided under Transportation Code §§504.201, 504.202 (b-1)  
4 and (b-2), and 681.004.

5 (B) Display. A person who has been issued a windshield disabled parking  
6 placard shall hang the placard from a vehicle's rearview mirror when the vehicle is parked in a  
7 disabled person parking space or shall display the placard on the center portion of the dashboard if  
8 the vehicle does not have a rearview mirror.

9 (c) Renewal of disabled person license plates. Disabled person license plates are valid for a  
10 period of 12 months from the date of issuance and are renewable as specified in §§217.28, 217.43,  
11 and 217.45 of this title.

12 (d) Replacement.

13 (1) License plates. If a disabled person metal license plate is lost, stolen, or  
14 mutilated, the owner may obtain a replacement metal license plate by applying with a county tax  
15 assessor-collector.

16 (A) Accompanying documentation. To replace disabled person metal license  
17 plates, the owner must present the current year's registration receipt and personal identification  
18 acceptable to the county tax assessor-collector.

19 (B) Absence of accompanying documentation. If the current year's  
20 registration receipt is not available and the county tax assessor-collector cannot verify that the  
21 disabled person metal license plates were issued to the owner, the owner must reapply in  
22 accordance with this section.

1 (2) Disabled parking placards. If a disabled parking placard becomes lost, stolen, or  
2 mutilated, the owner may obtain a new disabled parking placard in accordance with this section.

3 (e) Transfer of disabled person license plates and disabled parking placards.

4 (1) License plates.

5 (A) Transfer between persons. Disabled person license plates may not be  
6 transferred between persons. An owner who sells or trades a vehicle to which disabled person  
7 license plates have been issued shall remove the disabled person license plates from the vehicle.  
8 The owner shall return the license plates to the department and shall obtain appropriate  
9 replacement license plates to place on the vehicle prior to any transfer of ownership.

10 (B) Transfer between vehicles. Disabled person license plates may be  
11 transferred between vehicles if the county tax assessor-collector or the department can verify the  
12 plate ownership and the owner of the vehicle is a disabled person or the vehicle is used to  
13 transport a disabled person.

14 (i) Plate ownership verification may include:

15 (I) a Registration and Title System (RTS) inquiry;

16 (II) a copy of the department application for disabled person  
17 license plates; or

18 (III) the owner's current registration receipt.

19 (ii) An owner who sells or trades a vehicle with disabled person  
20 license plates must remove the plates from the vehicle.

21 (iii) The department will provide a form that persons may use to  
22 facilitate a transfer of disabled person license plates between vehicles.

23 (2) Disabled parking placards.

1 (A) Transfer between vehicles. Disabled parking placards may be displayed  
2 in any vehicle driven by the disabled person or in which the disabled person is a passenger.

3 (B) Transfer between persons. Disabled parking placards may not be  
4 transferred between persons.

5 (f) Seizure and revocation of disabled parking placard.

6 (1) If a law enforcement officer seizes and destroys a disabled parking placard  
7 under Transportation Code §681.012, the officer shall notify the department by email.

8 (2) The person to whom the seized disabled parking placard was issued may apply  
9 for a new disabled parking placard by submitting an application to the county tax assessor-  
10 collector of the county in which the person with the disability resides or in which the applicant is  
11 seeking medical treatment.

12

13 §217.43. Military Specialty License Plates.

14 (a) Purpose and Scope. Transportation Code, Chapter 504 authorizes the department to  
15 issue military specialty license plates. This section prescribes the policies and procedures for the  
16 application, issuance, and renewal of military specialty license plates.

17 (b) Classification and fees. The department will issue specialty license plates for the  
18 military and charge fees as authorized by Transportation Code, §504.202 and Chapter 504,  
19 Subchapter D.

20 (c) Application. Applications for military specialty license plates must be made to the  
21 department and include evidence of eligibility. The evidence of eligibility may include, but is not  
22 limited to:

23 (1) an official document issued by a governmental entity;

- 1 (2) a letter issued by a governmental entity on that agency's letterhead;
- 2 (3) discharge papers;
- 3 (4) a death certificate; or
- 4 (5) an identification card issued by any branch of the military under the jurisdiction
- 5 of the United States Department of Defense or the United States Department of Homeland
- 6 Security indicating that the member is retired.

7 (d) Period. Military specialty license plates shall be valid for 12 months from the month of  
8 issuance or for a prorated period of at least 12 months coinciding with the expiration of  
9 registration and may be replaced in accordance with §217.32 of this title (relating to Replacement  
10 of License Plates, Symbols, Tabs, and Other Devices).

11 (e) Assignment and Transfer. Military license plates may not be assigned and may only be  
12 transferred to another vehicle owned by the same vehicle owner.

13 (f) Applicability. Section 217.45 of this title (relating to Specialty License Plates, Symbols,  
14 Tabs, and Other Devices) applies to military license plates, symbols, tabs, or other devices as to:

- 15 (1) what is considered one set of license plates per vehicle as determined by vehicle
- 16 type;
- 17 (2) issuance of validation tabs and insignia;
- 18 (3) stolen or replaced license plates;
- 19 (4) payment of other applicable fees;
- 20 (5) personalization, except that Congressional Medal of Honor license plates may
- 21 not be personalized;

1                   (6) renewal, except that the owner of a vehicle with Congressional Medal of Honor  
2 license plates must return the documentation and specialty license plate fee, if any, directly to the  
3 department;

4                   (7) refunds; and

5                   (8) expiration.

6

7 §217.45. Specialty License Plates, Symbols, Tabs, and Other Devices.

8                   (a) Purpose and Scope. Transportation Code, Chapters 504, 551, and 551A charge the  
9 department with providing specialty license plates, symbols, tabs, and other devices. For the  
10 department to perform these duties efficiently and effectively, this section prescribes the policies  
11 and procedures for the application, issuance, and renewal of specialty license plates, symbols,  
12 tabs, and other devices, through the county tax assessor-collectors, and establishes application  
13 fees, expiration dates, and registration periods for certain specialty license plates. This section  
14 does not apply to military license plates except as provided by §217.43 of this title (relating to  
15 Military Specialty License Plates).

16                   (b) Initial application for specialty license plates, symbols, tabs, or other devices.

17                         (1) Application Process.

18                                 (A) Procedure. An owner of a vehicle registered as specified in this  
19 subchapter who wishes to apply for a specialty license plate, symbol, tab, or other device must do  
20 so on a form prescribed by the director.

21                                 (B) Form requirements. The application form shall at a minimum require the  
22 name and complete address of the applicant.

23                         (2) Fees and Documentation.



1 (A) The application must be accompanied by the prescribed registration fee,  
2 unless exempted by statute.

3 (B) The application must be accompanied by the statutorily prescribed  
4 specialty license plate fee. [~~If a registration period is greater than 12 months, the expiration date~~  
5 ~~of a specialty license plate, symbol, tab, or other device will be aligned with the registration period~~  
6 ~~and the specialty plate fee will be adjusted to yield the appropriate fee. If the statutory annual fee~~  
7 ~~for a specialty license plate is \$5 or less, it will not be prorated.]~~

8 (C) Specialty license plate fees will not be refunded after an application is  
9 submitted and the department has approved issuance of the license plate.

10 (D) The application must be accompanied by prescribed local fees or other  
11 fees that are collected in conjunction with registering a vehicle, with the exception of vehicles  
12 bearing license plates that are exempt by statute from these fees.

13 (E) The application must include evidence of eligibility for any specialty  
14 license plates. The evidence of eligibility may include, but is not limited to:

- 15 (i) an official document issued by a governmental entity; or  
16 (ii) a letter issued by a governmental entity on that agency's  
17 letterhead.

18 (F) Initial applications for license plates for display on Exhibition Vehicles  
19 must include a photograph of the completed vehicle.

20 (3) Place of application. Applications for specialty license plates may be made  
21 directly to the county tax assessor-collector of the county in which the owner resides or a county  
22 tax assessor-collector who is willing to accept the application, except that applications for the  
23 following license plates must be made directly to the department:

- 1 (A) County Judge;
- 2 (B) Federal Administrative Law Judge;
- 3 (C) State Judge;
- 4 (D) State Official;
- 5 (E) U.S. Congress--House;
- 6 (F) U.S. Congress--Senate; and
- 7 (G) U.S. Judge.

8 (4) Gift plates.

9 (A) A person may purchase general distribution specialty license plates as a  
10 gift for another person if the purchaser submits an application for the specialty license plates that  
11 provides:

12 (i) the name and address of the person who will receive the license  
13 plates; and

14 (ii) the vehicle identification number of the vehicle on which the  
15 license plates will be displayed.

16 (B) To be valid for use on a motor vehicle, the recipient of the license plates  
17 must file an application with the county tax assessor-collector and pay the statutorily required  
18 registration fees in the amount as provided by Transportation Code, Chapter 502 and this  
19 subchapter.

20 (c) Initial issuance of specialty license plates, symbols, tabs, or other devices.

21 (1) Issuance. On receipt of a completed initial application for registration,  
22 accompanied by the prescribed documentation and fees, the department will issue specialty  
23 license plates, symbols, tabs, or other devices to be displayed on the vehicle for which the license

1 plates, symbols, tabs, or other devices were issued for the current registration period. If the  
2 vehicle for which the specialty license plates, symbols, tabs, or other devices are issued is currently  
3 registered, the owner must surrender the license plates currently displayed on the vehicle, along  
4 with the corresponding license receipt, before the specialty license plates may be issued.

5 (2) Classic Motor Vehicles, Classic Travel Trailers, Custom Vehicles, Street Rods, and  
6 Exhibition Vehicles.

7 (A) License plates. Texas license plates that were issued the same year as  
8 the model year of a Classic Motor Vehicle, Travel Trailer, Street Rod, or Exhibition Vehicle may be  
9 displayed on that vehicle under Transportation Code, §504.501 and §504.502, unless:

10 (i) the license plate's original use was restricted by statute to  
11 another vehicle type;

12 (ii) the license plate is a qualifying plate type that originally required  
13 the owner to meet one or more eligibility requirements, except for a plate issued under  
14 Transportation Code, §504.202; or

15 (iii) the license plate number [~~alpha-numeric pattern~~] is already in  
16 use on another vehicle.

17 (B) Validation stickers and tabs. The department will issue validation  
18 stickers and tabs for display on license plates that are displayed as provided by subparagraph (A) of  
19 this paragraph.

20 (3) Number of license plates issued.

21 (A) Two license plates. Unless otherwise listed in subparagraph (B) of this  
22 paragraph, two specialty license plates, each bearing the same license plate number, will be issued  
23 per vehicle.

1 (B) One license plate. One license plate will be issued per vehicle for all  
2 motorcycles and for the following specialty license plates:

3 (i) Antique Vehicle (includes Antique Auto, Antique Truck, Antique  
4 Motorcycle, and Antique Bus);

5 (ii) Classic Travel Trailer;

6 (iii) Rental Trailer;

7 (iv) Travel Trailer;

8 (v) Cotton Vehicle;

9 (vi) Disaster Relief;

10 (vii) Forestry Vehicle;

11 (viii) Golf Cart;

12 (ix) Log Loader;

13 (x) Military Vehicle;

14 (xi) Package Delivery Vehicle;

15 (xii) Fertilizer; and

16 (xiii) Off-highway Vehicle.

17 (C) Registration number. The identification number assigned by the military  
18 may be approved as the registration number instead of displaying Military Vehicle license plates on  
19 a former military vehicle.

20 (4) Assignment of license plates.

21 (A) Title holder. Unless otherwise exempted by law or this section, the  
22 vehicle on which specialty license plates, symbols, tabs, or other devices is to be displayed shall be  
23 titled in the name of the person to whom the specialty license plates, symbols, tabs, or other

1 devices is assigned, or a title application shall be filed in that person's name at the time the  
2 specialty license plates, symbols, tabs, or other devices are issued.

3 (B) Non-owner vehicle. If the vehicle is titled in a name other than that of  
4 the applicant, the applicant must provide evidence of having the legal right of possession and  
5 control of the vehicle.

6 (C) Leased vehicle. In the case of a leased vehicle, the applicant must  
7 provide a copy of the lease agreement verifying that the applicant currently leases the vehicle.

8 (5) Classification of neighborhood electric vehicles. The registration classification of  
9 a neighborhood electric vehicle, as defined by §217.3(3) of this title (relating to Motor Vehicle  
10 Titles) will be determined by whether it is designed as a 4-wheeled truck or a 4-wheeled passenger  
11 vehicle.

12 (6) Number of vehicles. An owner may obtain specialty license plates, symbols,  
13 tabs, or other devices for an unlimited number of vehicles, unless the statute limits the number of  
14 vehicles for which the specialty license plate may be issued.

15 (7) Personalized license plate numbers.

16 (A) Issuance. The department will issue a personalized license plate number  
17 subject to the exceptions set forth in this paragraph.

18 (B) Character limit. A personalized license plate number may contain no  
19 more than six alpha or numeric characters or a combination of characters. Depending upon the  
20 specialty license plate design and vehicle class, the number of characters may vary. Spaces,  
21 hyphens, periods, hearts, stars, the International Symbol of Access, or silhouettes of the state of  
22 Texas may be used in conjunction with the license plate number.

1 (C) Personalized license plates not approved. A personalized license plate  
2 number will not be approved by the executive director if the license plate number [~~alpha-numeric~~  
3 ~~pattern~~]:

4 (i) conflicts with the department's current or proposed general issue  
5 [~~regular~~] license plate numbering system;

6 (ii) would violate §217.27 of this title (relating to Vehicle  
7 Registration Insignia), as determined by the executive director; or

8 (iii) is currently issued to another owner.

9 (D) Classifications of vehicles eligible for personalized license plates. Unless  
10 otherwise listed in subparagraph (E) of this paragraph, personalized license plates are available for  
11 all classifications of vehicles.

12 (E) Categories of license plates for which personalized license plates are not  
13 available. Personalized license plate numbers are not available for display on the following  
14 specialty license plates:

15 (i) Amateur Radio (other than the official call letters of the vehicle  
16 owner);

17 (ii) Antique Motorcycle;

18 (iii) Antique Vehicle (includes Antique Auto, Antique Truck, and  
19 Antique Bus);

20 (iv) Apportioned;

21 (v) Cotton Vehicle;

22 (vi) Disaster Relief;

23 (vii) Farm Trailer (except Go Texan II);

- 1 (viii) Farm Truck (except Go Texan II);
- 2 (ix) Farm Truck Tractor (except Go Texan II);
- 3 (x) Fertilizer;
- 4 (xi) Forestry Vehicle;
- 5 (xii) Log Loader;
- 6 (xiii) Machinery;
- 7 (xiv) Permit;
- 8 (xv) Rental Trailer;
- 9 (xvi) Soil Conservation;
- 10 (xvii) Texas Guard;
- 11 (xviii) Golf Cart;
- 12 (xix) Package Delivery Vehicle; and
- 13 (xx) Off-highway Vehicle.

14 (F) Fee. Unless specified by statute, a personalized license plate fee of \$40  
15 will be charged in addition to any prescribed specialty license plate fee.

16 (G) Priority. Once a personalized license plate number has been assigned to  
17 an applicant, the owner shall have priority to that number for succeeding years if a timely renewal  
18 application is submitted to the county tax assessor-collector each year in accordance with  
19 subsection (d) of this section.

20 (d) Specialty license plate renewal.

21 (1) Renewal deadline. If a personalized license plate is not renewed within 60 days  
22 after its expiration date, a subsequent renewal application will be treated as an application for  
23 new personalized license plates.

1                   (2) Length of validation. Except as provided by Transportation Code, §§504.401,  
2 504.4061, or 504.502, all specialty license plates, symbols, tabs, or other devices shall be valid for  
3 12 months from the month of issuance or for a prorated period of at least 12 months coinciding  
4 with the expiration of registration.

5                   (3) Renewal.

6                   (A) Renewal notice. Approximately 60 days before the expiration date of a  
7 specialty license plate, symbol, tab, or other device, the department will send each owner a  
8 renewal notice that includes the amount of the specialty license plate fee and the registration fee.

9                   (B) Return of notice. The owner must return the fee and any prescribed  
10 documentation to the tax assessor-collector of the county in which the owner resides or a county  
11 tax assessor-collector who is willing to accept the application, except that the owner of a vehicle  
12 with one of the following license plates must return the documentation, and specialty license plate  
13 fee, if applicable, directly to the department and submit the registration fee to a county tax  
14 assessor-collector:

15                                   (i) County Judge;

16                                   (ii) Federal Administrative Law Judge;

17                                   (iii) State Judge;

18                                   (iv) State Official;

19                                   (v) U.S. Congress--House;

20                                   (vi) U.S. Congress--Senate; and

21                                   (vii) U.S. Judge.

22                   (C) Expired license plate numbers. The department will retain a specialty  
23 license plate number for 60 days after the expiration date of the license plates if the license plates



1 are not renewed on or before their expiration date. After 60 days the number may be reissued to a  
2 new applicant. All specialty license plate renewals received after the expiration of the 60 days will  
3 be treated as new applications.

4 (D) Issuance of validation insignia. On receipt of a completed license plate  
5 renewal application and prescribed documentation, the department will issue registration  
6 validation insignia as specified in §217.27 unless this section or other law requires the issuance of  
7 new license plates to the owner.

8 (E) Lost or destroyed renewal notices. If a renewal notice is lost, destroyed,  
9 or not received by the vehicle owner, the specialty license plates, symbol, tab, or other device may  
10 be renewed if the owner provides acceptable personal identification along with the appropriate  
11 fees and documentation to the tax assessor-collector of the county in which the owner resides or a  
12 county tax assessor-collector who is willing to accept the application. Failure to receive the notice  
13 does not relieve the owner of the responsibility to renew the vehicle's registration.

14 (e) Transfer of specialty license plates.

15 (1) Transfer between vehicles.

16 (A) Transferable between vehicles. The owner of a vehicle with specialty  
17 license plates, symbols, tabs, or other devices may transfer the specialty license plates between  
18 vehicles by filing an application through the county tax assessor-collector in which the owner  
19 resides or a county tax assessor-collector who is willing to accept the application, if the vehicle to  
20 which the license plates are transferred:

21 (i) is titled or leased in the owner's name; and

22 (ii) meets the vehicle classification requirements for that particular  
23 specialty license plate, symbol, tab, or other device.

1 (B) Non-transferable between vehicles. The following specialty license  
2 plates, symbols, tabs, or other devices are non-transferable between vehicles:

3 (i) Antique Vehicle license plates (includes Antique Auto, Antique  
4 Truck, and Antique Bus), Antique Motorcycle license plates, and Antique tabs;

5 (ii) Classic Auto, Classic Truck, Classic Motorcycle, Classic Travel  
6 Trailer, Street Rod, and Custom Vehicle license plates;

7 (iii) Forestry Vehicle license plates;

8 (iv) Log Loader license plates;

9 (v) Golf Cart license plates;

10 (vi) Package Delivery Vehicle license plates; and

11 (vii) Off-highway Vehicle license plates.

12 (C) New specialty license plates. If the department creates a new specialty  
13 license plate under Transportation Code, §504.801, the department will specify at the time of  
14 creation whether the license plate may be transferred between vehicles.

15 (2) Transfer between owners.

16 (A) Non-transferable between owners. Specialty license plates, symbols,  
17 tabs, or other devices issued under Transportation Code, Chapter 504, Subchapters C, E, and F are  
18 not transferable from one person to another except as specifically permitted by statute.

19 (B) New specialty license plates. If the department creates a new specialty  
20 license plate under Transportation Code, §504.801, the department will specify at the time of  
21 creation whether the license plate may be transferred between owners.

22 (3) Simultaneous transfer between owners and vehicles. Specialty license  
23 plates, symbols, tabs, or other devices are transferable between owners and vehicles

1 simultaneously only if the owners and vehicles meet all the requirements in both paragraphs (1)  
2 and (2) of this subsection.

3 (f) Replacement.

4 (1) Application. When specialty license plates, symbols, tabs, or other devices are  
5 lost, stolen, or mutilated, the owner shall apply directly to a county tax assessor-collector for the  
6 issuance of replacements.

7 (2) Temporary registration insignia. If the specialty license plate, symbol, tab, or  
8 other device is lost, destroyed, or mutilated to such an extent that it is unusable, and if issuance of  
9 a replacement license plate would require that it be remanufactured, the owner must pay the  
10 statutory replacement fee, and the department will issue a temporary tag for interim use. The  
11 owner's new specialty license plate number will be shown on the temporary tag unless it is a  
12 personalized license plate, in which case the same personalized license plate number will be  
13 shown.

14 (3) Stolen specialty license plates.

15 (A) The department or county tax assessor-collector will not approve the  
16 issuance of replacement license plates with the same personalized license plate number if the  
17 department's records indicate either the vehicle displaying the personalized license plates or the  
18 license plates are reported as stolen to law enforcement. The owner will be directed to contact the  
19 department for another personalized license plate choice.

20 (B) The owner may select a different personalized number to be issued at  
21 no charge with the same expiration as the stolen specialty license plate. On recovery of the stolen  
22 vehicle or license plates, the department will issue, at the owner's or applicant's request,  
23 replacement license plates, bearing the same personalized number as those that were stolen.

1 (g) License plates created after January 1, 1999. In accordance with Transportation Code,  
2 §504.702, the department will begin to issue specialty license plates authorized by a law enacted  
3 after January 1, 1999, only if the sponsoring entity for that license plate submits the following  
4 items before the fifth anniversary of the effective date of the law.

5 (1) The sponsoring entity must submit a written application. The application must  
6 be on a form approved by the director and include, at a minimum:

7 (A) the name of the license plate;

8 (B) the name and address of the sponsoring entity;

9 (C) the name and telephone number of a person authorized to act for the  
10 sponsoring entity; and

11 (D) the deposit.

12 (2) A sponsoring entity is not an agent of the department and does not act for the  
13 department in any matter, and the department does not assume any responsibility for fees or  
14 applications collected by a sponsoring entity.

15 (h) Assignment procedures for state, federal, and county officials.

16 (1) State Officials. State Official license plates contain the distinguishing prefix "SO."  
17 Members of the state legislature may be issued up to three sets of State Official specialty license  
18 plates with the distinguishing prefix "SO," or up to three sets of State Official specialty license  
19 plates that depict the state capitol, and do not display the distinguishing prefix "SO." An  
20 application by a member of the state legislature, for a State Official specialty license plate, must  
21 specify the same specialty license plate design for each applicable vehicle. State Official license  
22 plates are assigned in the following order:

23 (A) Governor;

- 1 (B) Lieutenant Governor;
- 2 (C) Speaker of the House;
- 3 (D) Attorney General;
- 4 (E) Comptroller;
- 5 (F) Land Commissioner;
- 6 (G) Agriculture Commissioner;
- 7 (H) Secretary of State;
- 8 (I) Railroad Commission;
- 9 (J) Supreme Court Chief Justice followed by the remaining justices based on  
10 their seniority;
- 11 (K) Criminal Court of Appeals Presiding Judge followed by the remaining  
12 judges based on their seniority;
- 13 (L) Members of the State Legislature, with Senators assigned in order of  
14 district number followed by Representatives assigned in order of district number, except that in  
15 the event of redistricting, license plates will be reassigned; and
- 16 (M) Board of Education Presiding Officer followed by the remaining  
17 members assigned in district number order, except that in the event of redistricting, license plates  
18 will be reassigned.
- 19 (2) Members of the U.S. Congress.
- 20 (A) U.S. Senate license plates contain the prefix "Senate" and are assigned  
21 by seniority; and
- 22 (B) U.S. House license plates contain the prefix "House" and are assigned in  
23 order of district number, except that in the event of redistricting, license plates will be reassigned.

1 (3) Federal Judge.

2 (A) Federal Judge license plates contain the prefix "USA" and are assigned  
3 on a seniority basis within each court in the following order:

4 (i) Judges of the Fifth Circuit Court of Appeals;

5 (ii) Judges of the United States District Courts;

6 (iii) United States Bankruptcy Judges; and

7 (iv) United States Magistrates.

8 (B) Federal Administrative Law Judge license plates contain the prefix "US"  
9 and are assigned in the order in which applications are received.

10 (C) A federal judge who retired on or before August 31, 2003, and who held  
11 license plates expiring in March 2004 may continue to receive federal judge license plates. A  
12 federal judge who retired after August 31, 2003, is not eligible for U.S. Judge license plates.

13 (4) State Judge.

14 (A) State Judge license plates contain the prefix "TX" and are assigned  
15 sequentially in the following order:

16 (i) Appellate District Courts;

17 (ii) Presiding Judges of Administrative Regions;

18 (iii) Judicial District Courts;

19 (iv) Criminal District Courts; and

20 (v) Family District Courts and County Statutory Courts.

21 (B) A particular alpha-numeric combination will always be assigned to a  
22 judge of the same court to which it was originally assigned.

1 (C) A state judge who retired on or before August 31, 2003, and who held  
2 license plates expiring in March 2004 may continue to receive state judge plates. A state judge  
3 who retired after August 31, 2003, is not eligible for State Judge license plates.

4 (5) County Judge license plates contain the prefix "CJ" and are assigned by county  
5 number.

6 (6) In the event of redistricting or other license plate reallocation, the department  
7 may allow a state official to retain that official's plate number if the official has had the number for  
8 five or more consecutive years.

9 (i) Development of new specialty license plates.

10 (1) Procedure. The following procedure governs the process of authorizing new  
11 specialty license plates under Transportation Code, §504.801, whether the new license plate  
12 originated as a result of an application or as a department initiative.

13 (2) Applications for the creation of new specialty license plates. An applicant for the  
14 creation of a new specialty license plate, other than a vendor specialty plate under §217.52 of this  
15 title (relating to Marketing of Specialty License Plates through a Private Vendor), must submit a  
16 written application on a form approved by the executive director. The application must include:

17 (A) the applicant's name, address, telephone number, and other identifying  
18 information as directed on the form;

19 (B) certification on Internal Revenue Service letterhead stating that the  
20 applicant is a not-for-profit entity;

21 (C) a draft design of the specialty license plate;

22 (D) projected sales of the license plate, including an explanation of how the  
23 projected figure was established;

1 (E) a marketing plan for the license plate, including a description of the  
2 target market;

3 (F) a licensing agreement from the appropriate third party for any  
4 intellectual property design or design element;

5 (G) a letter from the executive director of the sponsoring state agency  
6 stating that the agency agrees to receive and distribute revenue from the sale of the specialty  
7 license plate and that the use of the funds will not violate a statute or constitutional provision; and

8 (H) other information necessary for the board to reach a decision regarding  
9 approval of the requested specialty license plate.

10 (3) Review process. The board:

11 (A) will not consider incomplete applications;

12 (B) may request additional information from an applicant if necessary for a  
13 decision; and

14 (C) will consider specialty license plate applications that are restricted by  
15 law to certain individuals or groups of individuals (qualifying license plates) using the same  
16 procedures as applications submitted for license plates that are available to everyone (non-  
17 qualifying license plates).

18 (4) Request for additional information. If the board determines that additional  
19 information is needed, the applicant must return the requested information not later than the  
20 requested due date. If the additional information is not received by that date, the board will return  
21 the application as incomplete unless the board:

22 (A) determines that the additional requested information is not critical for  
23 consideration and approval of the application; and



1 (B) approves the application, pending receipt of the additional information  
2 by a specified due date.

3 (5) Board decision. The board's decision will be based on:

4 (A) compliance with Transportation Code, §504.801;

5 (B) the proposed license plate design, including:

6 (i) whether the design appears to meet the legibility and reflectivity  
7 standards established by the department;

8 (ii) whether the design meets the standards established by the  
9 department for uniqueness;

10 (iii) other information provided during the application process;

11 (iv) the criteria designated in §217.27 as applied to the design; and

12 (v) whether a design is similar enough to an existing plate design  
13 that it may compete with the existing license plate sales; and

14 (C) the applicant's ability to comply with Transportation Code, §504.702  
15 relating to the required deposit or application that must be provided before the manufacture of a  
16 new specialty license plate.

17 (6) Public comment on proposed design. All proposed license plate designs will be  
18 considered by the board as an agenda item at a regularly or specially called open meeting. Notice  
19 of consideration of proposed license plate designs will be posted in accordance with Office of the  
20 Secretary of State meeting notice requirements. Notice of each license plate design will be posted  
21 on the department's Internet website to receive public comment at least 25 days in advance of the  
22 meeting at which it will be considered. The department will notify all other specialty license plate  
23 organizations and the sponsoring agencies who administer specialty license plates issued in

1 accordance with Transportation Code, Chapter 504, Subchapter G, of the posting. A comment on  
2 the proposed design can be submitted in writing through the mechanism provided on the  
3 department's Internet website for submission of comments. Written comments are welcome and  
4 must be received by the department at least 10 days in advance of the meeting. Public comment  
5 will be received at the board's meeting.

6 (7) Final approval.

7 (A) Approval. The board will approve or disapprove the specialty license  
8 plate application based on all of the information provided pursuant to this subchapter at an open  
9 meeting.

10 (B) Application not approved. If the application is not approved under  
11 subparagraph (A) of this paragraph, the applicant may submit a new application and supporting  
12 documentation for the design to be considered again by the board if:

13 (i) the applicant has additional, required documentation; or

14 (ii) the design has been altered to an acceptable degree.

15 (8) Issuance of specialty license plates.

16 (A) If the specialty license plate is approved, the applicant must comply with  
17 Transportation Code, §504.702 before any further processing of the license plate.

18 (B) Approval of the license plate does not guarantee that the submitted  
19 draft license plate design will be used. The board has final approval authority of all specialty  
20 license plate designs and may adjust or reconfigure the submitted draft design to comply with the  
21 format or license plate specifications.

1 (C) If the board, in consultation with the applicant, adjusts or reconfigures  
2 the design, the adjusted or reconfigured design will not be posted on the department's website for  
3 additional comments.

4 (9) Redesign of specialty license plate.

5 (A) Upon receipt of a written request from the applicant, the department  
6 will allow redesign of a specialty license plate.

7 (B) A request for a redesign must meet all application requirements and  
8 proceed through the approval process of a new specialty license plate as required by this  
9 subsection.

10 (C) An approved license plate redesign does not require the deposit  
11 required by Transportation Code, §504.702, but the applicant must pay a redesign cost to cover  
12 administrative expenses.

13 (j) Golf carts.

14 (1) A county tax assessor-collector may issue golf cart license plates as long as the  
15 requirements under Transportation Code, §551.403 or §551.404 are met.

16 (2) A county tax assessor-collector may only issue golf cart license plates to  
17 residents or property owners of the issuing county.

18 (3) A golf cart license plate may not be used as a registration insignia, and a golf  
19 cart may not be registered for operation on a public highway.

20 (4) The license plate fee for a golf cart license plate is \$10.

21 (k) Off-highway vehicle.

22 (1) A county tax assessor-collector may issue off-highway vehicle license plates as  
23 long as the requirements under Transportation Code, §551A.053 or §551A.055 are met.

1 (2) An off-highway vehicle license plate may not be used as a registration insignia,  
2 and an off-highway vehicle may not be registered for operation on a public highway.

3 (3) The license plate fee for an off-highway vehicle license plate is \$10.

4 (l) Package delivery vehicle.

5 (1) A county tax assessor-collector may issue package delivery license plates as long  
6 as the requirements under Transportation Code, §§551.453, 551.454, and 551.455 are met.

7 (2) The license plate fee for a package delivery license plate is \$25 to be paid on an  
8 annual basis.

9

10 §217.46. Commercial Vehicle Registration.

11 (a) Eligibility. A motor vehicle is required to be registered as a commercial motor vehicle if  
12 it meets the definition of a commercial motor vehicle under Transportation Code, §502.001(7). [A  
13 ~~motor vehicle, other than a motorcycle or moped, designed or used primarily for the~~  
14 ~~transportation of property, including any passenger car that has been reconstructed to be used,~~  
15 ~~and is being used, primarily for delivery purposes, with the exception of a passenger car used in~~  
16 ~~the delivery of the United States mail, must be registered as a commercial vehicle.]~~

17 (b) Commercial vehicle registration classifications.

18 (1) Apportioned license plates. Apportioned license plates are issued in lieu of  
19 Combination, Motor Bus, or Truck license plates to Texas carriers who proportionally register their  
20 fleets in other states, in conformity with §217.56 of this title (relating to Registration Reciprocity  
21 Agreements).

22 (2) City bus license plates. A street or suburban bus shall be registered with license  
23 plates bearing the legend "City Bus."

1 (3) Combination license plates.

2 (A) Specifications. A truck or truck-tractor with a gross weight in excess of  
3 10,000 pounds used or to be used in combination with a semitrailer having a gross weight in excess  
4 of 6,000 pounds, may be registered with combination license plates. Such vehicles must be  
5 registered for a gross weight equal to the combined gross weight of all the vehicles in the  
6 combination, but not less than 18,000 pounds. Only one combination license plate is required and  
7 must be displayed on the front of the truck or truck-tractor. When displaying a combination license  
8 plate, a truck or truck-tractor is not restricted to pulling a semitrailer licensed with a Token Trailer  
9 license plate and may legally pull semitrailers ~~and full trailers~~ displaying other types of Texas  
10 license plates or license plates issued out of state; however, a truck or truck-tractor displaying a  
11 combination license plate issued under Transportation Code, §502.255 may only pull a semitrailer  
12 issued a license plate from another state to the extent authorized under a registration reciprocity  
13 agreement under Transportation Code, §502.091. The following vehicles may not be registered in  
14 combination:

15 (i) trucks or truck-tractors having a gross weight of ~~less than~~  
16 10,000 pounds or less or trucks or truck-tractors to be used exclusively in combination with  
17 semitrailers having gross weights not exceeding 6,000 pounds;

18 (ii) semitrailers with gross weights of 6,000 pounds or less, or  
19 semitrailers that are to be operated exclusively with trucks or truck-tractors having gross weight of  
20 ~~less than~~ 10,000 pounds or less;

21 (iii) trucks or truck-tractors used exclusively in combination with  
22 semitrailer-type vehicles displaying Machinery, Permit, or Farm Trailer license plates;

1 (iv) trucks or truck-tractors used exclusively in combination with  
2 travel trailers and manufactured housing;

3 (v) trucks or truck-tractors to be registered with Farm Truck or Farm  
4 Truck Tractor license plates;

5 (vi) trucks or truck-tractors and semitrailers to be registered with  
6 disaster relief license plates;

7 (vii) trucks or truck-tractors and semitrailers to be registered with  
8 Soil Conservation license plates;

9 (viii) trucks or truck-tractors and semitrailers to be registered with  
10 U.S. Government license plates or Exempt license plates issued by the State of Texas; and

11 (ix) vehicles that are to be issued special registration ~~[temporary]~~  
12 permits, such as 72-Hour Permits, 144-Hour Permits, or special registration license plates, such as  
13 One Trip license plates,~~[Permits,]~~ or 30-Day license plates~~[Permits]~~ in accordance with  
14 Transportation Code, §502.094 and §502.095.

15 (B) Converted semitrailers. Semitrailers that are converted to ~~[full]~~ trailers  
16 by means of auxiliary axle assemblies will retain their semitrailer status, and such semitrailers are  
17 subject to the combination and token trailer registration requirements.

18 (C) Axle assemblies. Various types of axle assemblies that are specially  
19 designed for use in conjunction with other vehicles or combinations of vehicles may be used to  
20 increase the load capabilities of such vehicles or combinations.

21 (i) Auxiliary axle assemblies such as trailer axle converters, jeep  
22 axles, and drag axles, which are used in conjunction with truck-tractor and semitrailer  
23 combinations, are not required to be registered; however, the additional weight that is acquired by

1 the use of such axle assemblies must be included in the combined gross weight of the  
2 combination.

3 (ii) Ready-mixed concrete trucks that have an auxiliary axle assembly  
4 installed for the purpose of increasing a load capacity of such vehicles must be registered for a  
5 weight that includes the axle assembly.

6 (D) Exchange of Combination license plates. Combination license plates  
7 shall not be exchanged for another type of registration during the registration year, except that:

8 (i) if a major permanent reconstruction change occurs, Combination  
9 license plates may be exchanged for Truck license plates, provided that a corrected title is applied  
10 for;

11 (ii) if the department initially issues Combination license plates in  
12 error, the plates will be exchanged for license plates of the proper classification;

13 (iii) if the department initially issues Truck or Trailer license plates in  
14 error to vehicles that should have been registered in combination, such license plates will be  
15 exchanged for Combination and Token Trailer license plates; or

16 (iv) if a Texas apportioned carrier acquires a combination license  
17 power unit, the Combination license plates will be exchanged for Apportioned license plates.

18 (4) Cotton Vehicle license plates. The department will issue Cotton Vehicle license  
19 plates in accordance with Transportation Code, §504.505 and §217.45 of this title (relating to  
20 Specialty License Plates, Symbols, Tabs, and Other Devices).

21 (5) Forestry Vehicle license plates. The department will issue Forestry Vehicle  
22 license plates in accordance with Transportation Code, §504.507 and §217.45 of this title.

1           ~~[(6) In Transit license plates. The department may issue an In Transit license plate~~  
2 ~~annually to any person, firm, or corporation engaged in the primary business of transporting and~~  
3 ~~delivering by means of the full mount, saddle mount, tow bar, or any other combination, new~~  
4 ~~vehicles and other vehicles from the manufacturer or any other point of origin to any point of~~  
5 ~~destination within the State. Each new vehicle being transported, delivered, or moved under its~~  
6 ~~own power in accordance with this paragraph must display an In Transit license plate in~~  
7 ~~accordance with Transportation Code, §503.035.]~~

8           (6)[(7)] Motor Bus license plates. A motor bus as well as a taxi and other vehicles  
9 that transport passengers for compensation or hire, must display Motor Bus license plates when  
10 operated outside the limits of a city or town, or adjacent suburb, in which its company is  
11 franchised to do business.

12           (7)[(8)] Token Trailer license plates.

13           (A) Qualification. The department will issue Token Trailer license plates for  
14 semitrailers that are authorized ~~[required]~~ to be registered in combination.

15           (B) Validity. A Token Trailer license plate is valid only when it is displayed on  
16 a semitrailer that is being pulled by a truck or a truck-tractor that has been properly registered  
17 with Forestry Vehicle (in accordance with Transportation Code, §504.507), Combination (in  
18 accordance with Transportation Code, §502.255), or Apportioned (in accordance with  
19 Transportation Code, §502.091) license plates for combined gross weights that include the weight  
20 of the semitrailer, except as authorized under Transportation Code, Chapters 621 through 623.~~[,~~  
21 ~~unless exempted by Transportation Code, §502.094 and §623.011.]~~

22           (C) House-moving dollies. House-moving dollies are to be registered with  
23 Token Trailer license plates and titled as semitrailers; however, only one such dolly in a



1 combination is required to be registered and titled. The remaining dolly (or dollies) is permitted to  
2 operate unregistered, since by the nature of its construction, it is dependent upon another such  
3 vehicle in order to function. The pulling unit must display a Combination or Apportioned license  
4 plate.

5 (D) Trailers. [~~Full trailers.~~] The department shall [~~will~~] not issue a Token  
6 Trailer license plate for a [~~full~~] trailer.

7 (8)[(9)] Tow Truck license plates. A Tow Truck license plate must be obtained for all  
8 tow trucks operating and registered in this state. The department will not issue a Tow Truck license  
9 plate unless the Texas Department of Licensing and Regulation has issued a permit for the tow  
10 truck under Occupations Code, Chapter 2308, Subchapter C.

11 (c) Application for commercial vehicle registration.

12 (1) Application form. An applicant shall apply for commercial license plates through  
13 the appropriate county tax assessor-collector or the department, as applicable, upon forms  
14 prescribed by the director and shall require, at a minimum, the following information:

15 (A) owner name and complete address;

16 (B) complete description of vehicle, including empty weight; and

17 (C) vehicle identification number or serial number.

18 (2) Empty weight determination.

19 (A) The weight of a Motor Bus shall be the empty weight plus carrying  
20 capacity, in accordance with Transportation Code, §502.055.

21 (B) The weight of a vehicle cannot be lowered below the weight indicated  
22 on a Manufacturer's Certificate of Origin unless a corrected Manufacturer's Certificate of Origin is  
23 obtained.

1 (C) In all cases where the department questions the empty weight of a  
2 particular vehicle, the applicant should present a weight certificate from a public weight scale or  
3 the Department of Public Safety.

4 (3) Gross weight.

5 (A) Determination of Weight. The combined gross weight of vehicles  
6 registering for combination license plates shall be determined by the empty weight of the truck or  
7 truck-tractor combined with the empty weight of the heaviest semitrailer or semitrailers used or to  
8 be used in combination therewith, plus the heaviest net load to be carried on such combination  
9 during the motor vehicle registration year, provided that in no case may the combined gross  
10 weight be less than 18,000 pounds.

11 (B) Restrictions. The following restrictions apply to combined gross weights.

12 (i) After a truck or truck-tractor is registered for a combined gross  
13 weight, such weight cannot be lowered at any subsequent date during the registration year. The  
14 owner may, however, lower the gross weight when registering the vehicle for the following  
15 registration year, provided that the registered combined gross weight is sufficient to cover the  
16 heaviest load to be transported during the year and provided that the combined gross weight is  
17 not less than 18,000 pounds.

18 (ii) A combination of vehicles is restricted to a total gross weight not  
19 to exceed 80,000 pounds; however, all combinations may not qualify for 80,000 pounds unless  
20 such weight can be properly distributed in accordance with axle load limitations, and distance  
21 between axles, in accordance with Transportation Code, §621.101 or another section in  
22 Transportation Code, Chapters 621 through 623. [~~§623.011.~~]

1 (4) Vehicle identification number or serial number. Ownership may [~~must~~] be  
2 established by a court order or by securing a bond if no vehicle identification number or serial  
3 number can be identified. Once ownership has been established, the department will assign a  
4 number upon payment of the fee.

5 (5) Accompanying documentation. Unless otherwise exempted by law, completed  
6 applications for commercial license plates shall be accompanied by:

7 (A) prescribed registration fees;

8 (B) prescribed local fees or other fees that are collected in conjunction with  
9 registering a vehicle;

10 (C) evidence of financial responsibility as required by Transportation Code,  
11 §502.046; however, if the applicant is a motor carrier as defined by §218.2 of this title (relating to  
12 Definitions), proof of financial responsibility may be in the form of a registration listing [~~or an~~  
13 ~~international stamp~~] indicating that the vehicle is registered in compliance with Chapter 218,  
14 Subchapter B of this title (relating to Motor Carrier Registration);

15 (D) an application for Texas Title in accordance with Subchapter A of this  
16 chapter, or other proof of ownership;

17 (E) proof of payment of the Federal Heavy Vehicle Use Tax, if applicable;

18 (F) an original or certified copy of the current permit issued in accordance  
19 with Occupations Code, Chapter 2308, Subchapter C, if application is being made for Tow Truck  
20 license plates; and

21 (G) other documents or fees required by law.

22 [~~(6) Proof of payment required. Proof of payment of the Federal Heavy Vehicle Use~~  
23 ~~Tax is required for vehicles with a gross registration weight of 55,000 pounds or more, or in cases~~

1 ~~where the vehicle's gross weight is voluntarily increased to 55,000 pounds or more. Proof of~~  
2 ~~payment shall consist of an original or photocopy of the Schedule 1 portion of Form 2290 received~~  
3 ~~by the Internal Revenue Service (IRS), or a copy of the Form 2290 with Schedule 1 attached as filed~~  
4 ~~with the IRS, along with a photocopy of the front and back of the canceled check covering the~~  
5 ~~payment to the IRS.]~~

6 ~~[(7) Proof of payment not required. Proof of payment of the Federal Heavy Vehicle~~  
7 ~~Use Tax is not required:]~~

8 ~~[(A) for new vehicles when an application for title and registration is~~  
9 ~~supported by a Manufacturer's Certificate of Origin;]~~

10 ~~[(B) on used vehicles when an application for title and registration is filed~~  
11 ~~within 60 days from the date of transfer to the applicant as reflected on the assigned title, except~~  
12 ~~that proof of payment will be required when an application for Texas title and registration is~~  
13 ~~accompanied by an out-of-state title that is recorded in the name of the applicant;]~~

14 ~~[(C) when a vehicle was previously wrecked, in storage, or otherwise out of~~  
15 ~~service and, therefore, not registered or operated during the current registration year or during~~  
16 ~~the current tax year, provided that a non-use affidavit is signed by the operator; and]~~

17 ~~[(D) as a prerequisite to registration of vehicles apprehended for operating~~  
18 ~~without registration or reciprocity or when an owner or operator purchases temporary operating~~  
19 ~~permits or additional weight.]~~

20 (d) Renewal of commercial license plates.

21 (1) Registration period. The department will establish the registration period for  
22 commercial vehicles, unless specified by statute. Commercial license plates are issued for  
23 established annual registration periods ~~[as follows.]~~

1                   ~~[(A) March expiration. If a fleet under §217.54 of this title (relating to~~  
2 ~~Registration of Fleet Vehicles) contains a vehicle with a combination license plate, the established~~  
3 ~~annual registration period for the fleet is April 1st through March 31st.]~~

4                   ~~[(B) Five-year registration with March 31st expiration. The following license~~  
5 ~~plates are available with a five-year registration period. Registration fees for the license plates~~  
6 ~~listed below may be paid on an annual basis, or may be paid up front for the entire five-year~~  
7 ~~period:]~~

8                                 ~~[(i) Five-year Rental Trailer license plates issued for rental trailers~~  
9 ~~that are part of a rental fleet; and]~~

10                                ~~[(ii) Five-year Token Trailer license plates, available to owners of~~  
11 ~~semitrailers to be used in combination with truck tractors displaying Apportioned or Combination~~  
12 ~~license plates.]~~

13                   (2) Registration Renewal Notice. The department will send a registration renewal  
14 notice, indicating the proper registration fee and the month and year the registration expires, to  
15 each vehicle owner approximately six to eight weeks prior to the expiration of the vehicle's  
16 registration.

17                   (3) Return of registration renewal notices. Except for authorized online renewals,  
18 registration renewal notices should be returned by the vehicle owner to the department or the  
19 appropriate county tax assessor-collector, as indicated on the registration renewal notice. Unless  
20 otherwise exempted by law, registration renewal notices may be returned either in person or by  
21 mail, and shall be accompanied by:

22                                (A) statutorily prescribed registration renewal fees;

1 (B) prescribed local fees or other fees that are collected in conjunction with  
2 registration renewal;

3 (C) evidence of financial responsibility as required by Transportation Code,  
4 §502.046; and

5 (D) other prescribed documents or fees.

6 (4) Lost or destroyed registration renewal notice. If a registration renewal notice is  
7 lost, destroyed, or not received by the vehicle owner, the vehicle may be registered if the owner  
8 presents personal identification acceptable to the county tax assessor-collector. Failure to receive  
9 the notice does not relieve the owner of the responsibility to renew the vehicle's registration.

10 (e) Transfer of commercial vehicle license plates.

11 (1) Transfer between persons. With the exceptions noted in paragraph (3) of this  
12 subsection, when ownership of a vehicle displaying commercial vehicle license plates is  
13 transferred, application for transfer of such license plates shall be made with the county tax  
14 assessor-collector in the county in which the purchaser resides or a county tax assessor-collector  
15 who is willing to accept the application. If the purchaser does not intend to use the vehicle in a  
16 manner that would qualify it for the license plates issued to that vehicle, such license plates must  
17 be exchanged for the appropriate license plates.

18 (2) Transfer between vehicles. Commercial vehicle license plates are non-  
19 transferable between vehicles.

20 (3) Transfer of Apportioned and Tow Truck license plates. Apportioned and Tow  
21 Truck license plates are non-transferable between persons or vehicles, and become void if the  
22 vehicle to which the license plates were issued is sold.

1 (f) Replacement of lost, stolen, or mutilated commercial vehicle license plates. An owner of  
2 lost, stolen, or mutilated commercial vehicle license plates may obtain replacement license plates  
3 by filing an Application for Replacement Plates and remitting the prescribed fee to the county tax  
4 assessor-collector or from the department.

5

6 217.50. Equipment and Vehicles Within Road Construction Projects.

7 Road construction equipment (machinery type vehicles) operating laden or unladen within  
8 the limits of a project are not required to display the \$5 machinery license plate, regardless of the  
9 intermingling of regular vehicular traffic; however, conventional commercial vehicles operating  
10 within the limits of a project shall be required to be registered with regular commercial license  
11 plates whenever traffic is allowed to intermingle. [~~A highway construction project is that section of~~  
12 ~~the highway between the warning signs giving notice of a construction area.]~~

13

14 §217.51. Change of Classification: Trucks and Truck-Tractors.

15 When a truck is converted into a truck-tractor and the registration classification is changed  
16 from "truck" to "combination," an exchange of license plates is required; however, if a truck-  
17 tractor is converted into a truck and the registration classification is changed from "combination"  
18 to "truck" the license plates shall not be exchanged, unless the change involves a major permanent  
19 reconstruction change, such as when the frame of a truck-tractor is altered to accommodate the  
20 installation of a different type bed or body. In this instance, the owner must exchange license  
21 plates and file an application for corrected title. Under no circumstances will a refund in  
22 registration fees be authorized when a combination plate is exchanged for truck license plates as  
23 the result of a reconstruction change.

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§217.52. Marketing of Specialty License Plates through a Private Vendor.

(a) Purpose and scope. The department will enter into a contract with a private vendor to market department-approved specialty license plates in accordance with Transportation Code, Chapter 504, Subchapter J. This section sets out the procedure for approval of the design, purchase, and replacement of vendor specialty license plates. In this section, the license plates marketed by the vendor are referred to as vendor specialty license plates.

(b) Application for approval of vendor specialty license plate designs.

(1) Approval required. The vendor shall obtain the approval of the board for each license plate design the vendor proposes to market in accordance with this section and the contract entered into between the vendor and the department.

(2) Application. The vendor must submit a written application on a form approved by the executive director to the department for approval of each license plate design the vendor proposes to market. The application must include:

(A) a draft design of the specialty license plate;

(B) projected sales of the license plate, including an explanation of how the projected figure was determined;

(C) a marketing plan for the license plate including a description of the target market;

(D) a licensing agreement from the appropriate third party for any design or design element that is intellectual property; and

(E) other information necessary for the board to reach a decision regarding approval of the requested vendor specialty license plate.



1 (c) Review and approval process. The board will review vendor specialty license plate  
2 applications. The board:

3 (1) will not consider incomplete applications; and

4 (2) may request additional information from the vendor to reach a decision.

5 (d) Board decision.

6 (1) Decision. The decision of the board will be based on:

7 (A) compliance with Transportation Code, Chapter 504, Subchapter J;

8 (B) the proposed license plate design, including:

9 (i) whether the design meets the legibility and reflectivity standards  
10 established by the department;

11 (ii) whether the design meets the standards established by the  
12 department for uniqueness to ensure that the proposed license plate complies with Transportation  
13 Code, §504.852(c);

14 (iii) whether the license plate design can accommodate the  
15 International Symbol of Access (ISA) as required by Transportation Code, §504.201(f);

16 (iv) the criteria designated in §217.27 of this title (relating to Vehicle  
17 Registration Insignia) as applied to the design;

18 (v) whether a design is similar enough to an existing license plate  
19 design that it may compete with the existing license plate sales; and

20 (vi) other information provided during the application process.

21 (2) Public comment on proposed design. All proposed license plate designs will be  
22 considered by the board as an agenda item at a regularly or specially called open meeting. Notice  
23 of consideration of proposed license plate designs will be posted in accordance with Office of the

1 Secretary of State meeting notice requirements. Notice of each license plate design will be posted  
2 on the department's Internet web site to receive public comment at least 25 days in advance of  
3 the meeting at which it will be considered. The department will notify all specialty license plate  
4 organizations and the sponsoring agencies who administer specialty license plates issued in  
5 accordance with Transportation Code, Chapter 504, Subchapter G, of the posting. A comment on  
6 the proposed design can be submitted in writing through the mechanism provided on the  
7 department's Internet web site for submission of comments. Written comments are welcome and  
8 must be received by the department at least 10 days in advance of the meeting. Public comment  
9 will be received at the board's meeting.

10 (e) Final approval and specialty license plate issuance.

11 (1) Approval. The board will approve or disapprove the specialty license plate  
12 application based on all of the information provided pursuant to this subchapter in an open  
13 meeting.

14 (2) Application not approved. If the application is not approved, the applicant may  
15 submit a new application and supporting documentation for the design to be considered again by  
16 the board if:

17 (A) the applicant has additional, required documentation; or

18 (B) the design has been altered to an acceptable degree.

19 (3) Issuance of approved specialty license plates.

20 (A) If the vendor's specialty license plate is approved, the vendor must  
21 submit the non-refundable start-up fee before any further design and processing of the specialty  
22 license plate.

1 (B) Approval of the specialty license plate does not guarantee that the  
2 submitted draft specialty license plate design will be used. The board has final approval of all  
3 specialty license plate designs and will provide guidance on the submitted draft design to ensure  
4 compliance with the format and specialty license plate specifications.

5 (f) Redesign of vendor specialty license plates.

6 (1) On receipt of a written request from the vendor, the department will allow a  
7 redesign of a vendor specialty license plate.

8 (2) The vendor must pay the redesign administrative costs as provided in the  
9 contract between the vendor and the department.

10 (g) Multi-year vendor specialty license plates. Purchasers will have the option of purchasing  
11 vendor specialty license plates for a one-year, a three-year, or a five-year period.

12 (h) License plate categories and associated fees. The categories and the associated fees for  
13 vendor specialty license plates are set out in this subsection.

14 (1) Custom license plates. Custom license plates include license plates with a  
15 variety of pre-approved background and character color combinations that may be personalized  
16 with either three alpha and two or three numeric characters or two or three numeric and three  
17 alpha characters. Generic license plates on standard white sheeting with the word "Texas" that  
18 may be personalized with up to six alphanumeric characters are considered custom license plates  
19 before December 2, 2010. The fees for issuance of Custom and Generic license plates are \$150 for  
20 one year, \$400 for three years, and \$450 for five years.

21 (2) T-Plates (Premium) license plates. T-Plates (Premium) license plates may be  
22 personalized with up to seven alphanumeric characters, including the "T," on colored backgrounds

1 or designs approved by the department. The fees for issuance of T-Plates (Premium) license plates  
2 are \$150 for one year, \$400 for three years, and \$450 for five years.

3 (3) Luxury license plates. Luxury license plates may be personalized with up to six  
4 alphanumeric characters on colored backgrounds or designs approved by the department. The fees  
5 for issuance of luxury license plates are \$150 for one year, \$400 for three years, and \$450 for five  
6 years.

7 (4) Freedom license plates. Freedom license plates include license plates with a  
8 variety of pre-approved background and character color combinations that may be personalized  
9 with up to seven alphanumeric characters. The fees for issuance of freedom license plates are  
10 \$195 for one year, \$445 for three years, and \$495 for five years.

11 (5) Background-only license plates. Background-only license plates include non-  
12 personalized license plates with a variety of pre-approved background and character color  
13 combinations and may be embossed or non-embossed.

14 (A) The fees for issuance of non-embossed, background only license plates are  
15 \$50 for one year, \$130 for three years, and \$175 for five years.

16 (B) Except as stated in subsection (h)(9)(C), the fees for embossed, background-only  
17 license plates are \$125 for one year, \$205 for three years, and \$250 for five years.

18 (6) Vendor souvenir license plates. Vendor souvenir license plates are replicas of  
19 vendor specialty license plate designs that may be personalized with up to 24 alphanumeric  
20 characters. Vendor souvenir license plates are not street legal or legitimate insignias of vehicle  
21 registration. The fee for issuance of souvenir license plates is \$40.

22 (7) Auction~~[of alphanumeric patterns]~~. The vendor may auction department-  
23 approved license plate numbers~~[alphanumeric patterns]~~ for one, three, or five year terms with

1 options to renew indefinitely at the current price established for a one, three, or five year luxury  
2 category license plate. The purchaser of the auction license plate number [~~pattern~~] may select from  
3 the vendor background designs, including any embossed license plate designs, at no additional  
4 charge at the time of initial issuance. The auction license plate number [~~pattern~~] may be moved from  
5 one vendor design plate to another vendor design license plate as provided in subsection (n)(1) of  
6 this section. The auction license plate number [~~pattern~~] may be transferred from owner to owner as  
7 provided in subsection (l)(2) of this section.

8 (8) Embossed, personalized specialty license plates. The vendor may sell embossed,  
9 personalized specialty license plates with a variety of pre-approved background and character color  
10 combinations that may be personalized with up to seven alphanumeric characters. Except as stated in  
11 subsection (h)(7) of this section, the fees for issuance of embossed, personalized specialty license plates  
12 are \$270 for one year, \$520 for three years, and \$570 for five years. Except as stated in subsection  
13 (h)(9)(C) of this section, the fees under subsection (h)(9) of this section do not apply to an embossed,  
14 personalized specialty license plate.

15 (9) Personalization and specialty license plate fees.

16 (A) The fee for the personalization of license plates applied for prior to  
17 November 19, 2009 is \$40 if the license plates are renewed annually.

18 (B) The personalization fee for license plates applied for after November 19,  
19 2009 is \$40 if the license plates are issued pursuant to Transportation Code, Chapter 504,  
20 Subchapters G and I.

21 (C) If the license plates are renewed annually, the personalization and  
22 specialty license plate fees remain the same fee as at the time of issuance if a sponsor of a  
23 specialty license plate authorized under Transportation Code, Chapter 504, Subchapters G and I

1 signs a contract with the vendor in accordance with Transportation Code, Chapter 504, Subchapter  
2 J, even if the board approves the specialty license plate to be an embossed specialty license plate  
3 design.

4 (i) Payment of fees.

5 (1) Payment of specialty license plate fees. The fees for issuance of vendor specialty  
6 license plates will be paid directly to the state through vendor and state systems for the license  
7 plate category and period selected by the purchaser. A person who purchases a multi-year vendor  
8 specialty license plate must pay upon purchase the full fee which includes the renewal fees.

9 (2) Payment of statutory registration fees. To be valid for use on a motor vehicle,  
10 the license plate owner is required to pay, in addition to the vendor specialty license plate fees,  
11 any statutorily required registration fees in the amount as provided by Transportation Code,  
12 Chapter 502, and this subchapter.

13 (j) Refunds. Fees for vendor specialty license plate fees will not be refunded after an  
14 application is submitted to the vendor and the department has approved issuance of the license  
15 plate.

16 (k) Replacement.

17 (1) Application. An owner must apply directly to the county tax assessor-collector  
18 for the issuance of replacement vendor specialty license plates and must pay the fee described in  
19 paragraphs (2) or (3) of this subsection, whichever applies.

20 (2) Lost or mutilated vendor specialty license plates. To replace vendor specialty  
21 license plates that are lost or mutilated, the owner must pay the statutory replacement fee  
22 provided in Transportation Code, §504.007.

1           (3) Optional replacements. An owner of a vendor specialty license plate may  
2 replace vendor specialty license plates by submitting a request to the county tax assessor-collector  
3 accompanied by the payment of a \$6 fee.

4           (4) Interim replacement tags. If the vendor specialty license plates are lost or  
5 mutilated to such an extent that they are unusable, replacement specialty license plates ~~may~~ ~~[will~~  
6 ~~need to]~~ be remanufactured. The county tax assessor-collector will issue interim replacement tags for  
7 use until the replacements are available. The owner's vendor specialty license plate number will be  
8 shown on the interim replacement tags.

9           (5) Stolen vendor specialty license plates. The county tax assessor-collector will not  
10 approve the issuance of replacement vendor specialty license plates with the same license plate  
11 number if the department's records indicate that the vehicle displaying that license plate number  
12 was reported stolen or the license plates themselves were reported stolen to law enforcement.

13           (I) Transfer of vendor specialty license plates.

14           (1) Transfer between vehicles. The owner of a vehicle with vendor specialty license  
15 plates may transfer the specialty license plates between vehicles by filing an application through  
16 the county tax assessor-collector if the vehicle to which the specialty license plates are  
17 transferred:

18                           (A) is titled or leased in the owner's name; and

19                           (B) meets the vehicle classification requirements for that ~~[particular]~~  
20 specialty license plate.

21           (2) Transfer between owners. Vendor specialty license plates may not be  
22 transferred between persons unless the specialty license plate number ~~[pattern]~~ was initially  
23 purchased through auction as provided in subsection (h)(7) of this section. An auctioned license plate

1 number [~~alphanumeric pattern~~] may be transferred as a specialty license plate or as a virtual pattern to  
2 be manufactured on a new background as provided under the restyle option in subsection (n)(1) of this  
3 section. In addition to the fee paid at auction, the new owner of an auctioned license plate number  
4 [~~alphanumeric pattern~~] or plate will pay the department a fee of \$25 to cover the cost of the transfer,  
5 and complete the department's prescribed application at the time of transfer.

6 (m) Gift license plates.

7 (1) A person may purchase license plates as a gift for another person if the  
8 purchaser submits a statement that provides:

9 (A) the purchaser's name and address;

10 (B) the name and address of the person who will receive the license plates;

11 and

12 (C) the vehicle identification number of the vehicle on which the license  
13 plates will be displayed or a statement that the license plates will not be displayed on a vehicle.

14 (2) To be valid for use on a motor vehicle, the recipient of the license plates must  
15 file an application with the county tax assessor-collector and pay the statutorily required  
16 registration fees in the amount as provided by Transportation Code, Chapter 502, and this  
17 subchapter.

18 (n) Restyled vendor specialty license plates. A person who has purchased a multi-year  
19 vendor specialty license plate may request a restyled license plate at any time during the term of  
20 the plate.

21 (1) For the purposes of this subsection, "restyled license plate" is a vendor specialty  
22 license plate that has a different style from the originally purchased vendor specialty license plate  
23 but:



1 (A) is within the same price category, except if the license plate number was  
2 purchased through auction [~~pattern is an auction pattern~~] and has the same alpha-numeric  
3 characters and expiration date as the previously issued multi-year license plates; or

4 (B) is restyling from a non-embossed specialty license plate style to an  
5 embossed specialty license plate style and has the same alpha-numeric characters and expiration  
6 date as the previously issued multi-year license plates.

7 (2) The fee for each restyled license plate is:

8 (A) \$50 for restyling under subsection (n)(1)(A) of this section; or

9 (B) \$75 for restyling under subsection (n)(1)(B) of this section.

10

11 §217.53. Disposition [~~Removal~~] of License Plates and Registration Insignia upon Sale or Transfer of  
12 Motor Vehicle.

13 (a) Upon the sale or transfer of a motor vehicle to a dealer that holds a general distinguishing  
14 number (dealer), general issue license plates shall be removed and retained for issuance to a subsequent  
15 retail purchaser of that motor vehicle and the registration insignia shall be removed and disposed of by  
16 the dealer as provided in Transportation Code, §502.491, §504.901, and §215.158 of this title (relating to  
17 General Requirements for Buyer’s License Plates). If a dealer transfers a motor vehicle in a transaction  
18 other than a retail sale, the removed general issue license plates shall transfer with the motor vehicle.

19 [~~Purpose. Transportation Code, Chapter 502, Subchapter L and Chapter 504, Subchapter K, provide~~  
20 ~~for the removal of the license plates and registration insignia when a motor vehicle is sold or~~  
21 ~~transferred. Motor vehicles eligible for this process are limited to a passenger car or a light truck,~~  
22 ~~as those terms are defined in Transportation Code, §502.001-]~~

1           (b) Upon the sale or transfer of a motor vehicle in which neither party is a dealer, the  
2 registration insignia and the general issue license plates remain with the motor vehicle as provided in  
3 Transportation Code, §502.491(b) and §504.901. [~~Disposition of removed license plates. License~~  
4 ~~plates removed from a motor vehicle by a licensed motor vehicle dealer or by a motor vehicle~~  
5 ~~owner in a private transaction as provided in Transportation Code, §502.491, may be:}]~~

6                   [~~(1) transferred to another vehicle:]~~

7                           [~~(A) that is titled or will be titled in the same owner name as the vehicle~~  
8 ~~from which the license plates were removed;}]~~

9                           [~~(B) that is of the same vehicle classification (passenger car or light truck) as~~  
10 ~~the vehicle from which the license plates were removed; and]~~

11                           [~~(C) upon acceptance of a request to transfer the license plate by the county~~  
12 ~~tax assessor-collector in which the application is filed as provided by Transportation Code,~~  
13 ~~§501.023 or §502.040, whichever applies;}]~~

14                   [~~(2) disposed of in a manner that renders the license plates unusable or that~~  
15 ~~ensures the license plates will not be available for fraudulent use on a motor vehicle; or]~~

16                   [~~(3) retained by the owner of the motor vehicle from which the license plates were~~  
17 ~~removed.}]~~

18           (c) A license plate other than a general issue license plate shall be removed by the owner of a  
19 motor vehicle that is sold or transferred. Removed license plates may be transferred if eligible;  
20 otherwise, must be disposed of in a manner that renders the license plates unusable or that ensures the  
21 license plates will not be available for fraudulent use on a motor vehicle.

22                   [~~(c) Vehicle transit permit.~~]

1           ~~[(1) Obtaining a vehicle transit permit. A person who obtains a motor vehicle in a~~  
2 ~~private transaction may obtain one vehicle transit permit (temporary single-trip permit), through~~  
3 ~~the department's website at www.txdmv.gov if the seller or transferor has removed the license~~  
4 ~~plates and registration insignia.]~~

5           ~~[(2) Restrictions. The permit, which is valid only for the period shown on the~~  
6 ~~permit, may be used for operation of the motor vehicle only as provided in Transportation Code,~~  
7 ~~§502.492, and must be carried in the vehicle at all times. The permit may only be used on~~  
8 ~~passenger vehicles 6,000 pounds or less and light trucks with a gross vehicle weight of 10,000~~  
9 ~~pounds or less.]~~

10           (d) If the purchaser at a retail sale chooses to obtain replacement general issue license plates,  
11 the replaced license plates must be disposed of in a manner that renders the license plates unusable or  
12 that ensures the license plates will not be available for fraudulent use on a motor vehicle.

13  
14 §217.54. Registration of Fleet Vehicles.

15           (a) Scope. A registrant may consolidate the registration of multiple motor vehicles in a fleet  
16 instead of registering each vehicle separately. A fleet may include trailers and semitrailers. Except  
17 as provided by §217.55 of this title (relating to Exempt and Alias Vehicle Registration), to  
18 consolidate registration, a registration must meet the requirements of this section.

19           (b) Eligibility. A fleet must meet the following requirements to be eligible for fleet  
20 registration.

21                   (1) No fewer than 12 vehicles will be registered as a fleet;

22                   (2) Vehicles may be registered in annual increments for up to eight years;

23                   (3) All vehicles in a fleet must be owned by or leased to the same business entity;

1 (4) All vehicles must be vehicles that are not registered under the International  
2 Registration Plan; and

3 (5) Each vehicle must currently be titled in Texas or be issued a registration receipt,  
4 or the registrant must submit an application for a title or registration for each vehicle.

5 (c) Application.

6 (1) Application for fleet registration must be in a form prescribed by the  
7 department. At a minimum the form will require:

8 (A) the full name and complete address of the registrant;

9 (B) a description of each vehicle in the fleet, which may include the vehicle's  
10 model year, make, model, vehicle identification number, document number, body style, gross  
11 weight, empty weight, and for a commercial vehicle, manufacturer's rated carrying capacity in  
12 tons;

13 (C) the existing license plate number, if any, assigned to each vehicle; and

14 (D) any other information that the department may require.

15 (2) The application must be accompanied by the following items:

16 (A) in the case of a leased vehicle, a certification that the vehicle is currently  
17 leased to the person to whom the fleet registration will be issued;

18 (B) registration fees prescribed by law for the entire registration period  
19 selected by the registrant;

20 (C) local fees or other fees prescribed by law and collected in conjunction  
21 with registering a vehicle for the entire registration period selected by the registrant;

22 (D) evidence of financial responsibility for each vehicle as required by  
23 Transportation Code, §502.046, unless otherwise exempted by law;

1 (E) annual proof of payment of Heavy Vehicle Use Tax;

2 (F) any fees that are required to be collected at the time of registration

3 under Transportation Code, §548.509 for the first year of registration under Transportation Code,

4 §502.0023; [the state's portion of the vehicle inspection fee;] and

5 (G) any other documents or fees required by law.

6 (d) Registration period.

7 (1) The fleet owner will designate a single registration period for a fleet so the  
8 registration period for each vehicle will expire on the same date.

9 (2) The fleet registration period will begin on the first day of a calendar month and  
10 end on the last day of a calendar month.

11 (e) Registration receipt and fleet license plates.

12 (1) As evidence of registration, the department will issue a registration receipt and  
13 one or two metal fleet license plates for each vehicle in a fleet.

14 (2) The registration receipt for each vehicle shall at all times be carried in that  
15 vehicle and be available to law enforcement personnel upon request.

16 (3) A registration receipt or fleet license plate may not be transferred between  
17 vehicles, owners, or registrants.

18 (f) Fleet composition.

19 (1) A registrant may add a vehicle to a fleet at any time during the registration  
20 period. An added vehicle will be given the same registration period as the fleet and will be issued  
21 one or two metal fleet license plates and a registration receipt.

22 (2) A registrant may remove a vehicle from a fleet at any time during the  
23 registration period. After a vehicle is removed from the fleet, the fleet registrant shall either

1 return the metal fleet license plates for that vehicle to the department or provide the department  
2 with acceptable proof that the metal fleet license plates for that vehicle have been destroyed.  
3 Credit for any vehicle removed from the fleet for the remaining full year increments can be applied  
4 to any vehicle added to the fleet or at the time of renewal. No refunds will be given if credit is not  
5 used or the account is closed.

6 (3) If the number of vehicles in an account falls below 12 during the registration  
7 period, fleet registration will remain in effect. If the number of vehicles in an account is below 12  
8 at the end of the registration period, fleet registration will be canceled. In the event of  
9 cancellation, each vehicle shall be registered separately. The registrant shall immediately either  
10 return all metal fleet license plates to the department or provide the department with acceptable  
11 proof that the metal fleet license plates have been destroyed.

12 (g) Fees.

13 (1) When a fleet is first established, the department will charge a registration fee  
14 for each vehicle for the entire registration period selected. A currently registered vehicle, however,  
15 will be given credit for any remaining time on its separate registration.

16 (2) When a vehicle is added to an existing fleet, the department will charge a  
17 registration fee that is prorated based on the number of months of fleet registration remaining. If  
18 the vehicle is currently registered, this fee will be adjusted to provide credit for the number of  
19 months of separate registration remaining.

20 (3) When a vehicle is removed from fleet registration, it will be considered to be  
21 registered separately. The vehicle's separate registration will expire on the date that the fleet  
22 registration would have expired. The registrant must pay the statutory replacement fee to obtain  
23 regular registration insignia before the vehicle may be operated on a public highway.

1                   (4) In addition to the registration fees prescribed by Transportation Code, Chapter  
2 502, an owner registering a fleet under this section must pay a one-time fee of \$10 per motor  
3 vehicle, semitrailer, or trailer in the fleet. This fee is also due as follows:

4                               (A) for each vehicle added to the owner's existing fleet; and

5                               (B) for each vehicle that a buyer registers as a fleet, even though the seller  
6 previously registered some or all of the vehicles as a fleet under this section.

7                   (h) Payment. Payment will be made in the manner prescribed by the department.

8                   (i) Cancellation.

9                               (1) The department will cancel registration for non-payment and lack of proof of  
10 annual payment of the Heavy Vehicle Use Tax.

11                              (2) The department may cancel registration on any fleet vehicle on the anniversary  
12 date of the registration if the fleet vehicle is not in compliance with the inspection requirements  
13 under Transportation Code, Chapter 548 or the inspection requirements in the rules of the Texas  
14 Department of Public Safety.

15                              (3) A vehicle with a canceled registration may not be operated on a public highway.

16                              (4) If the department cancels the registration of a vehicle under this subsection, the  
17 registrant can request the department to reinstate the registration by doing the following:

18                                       (A) complying with the requirements for which the department canceled  
19 the registration;

20                                       (B) providing the department with notice of compliance on a form  
21 prescribed by the department; and

22                                       (C) for a registration canceled under paragraph (2) of this subsection, paying  
23 an administrative fee in the amount of \$10.

1 (5) A registrant is eligible for reinstatement of the registration only within 90  
2 calendar days of the department's notice of cancellation.

3 (6) If a registrant fails to timely reinstate the registration of a canceled vehicle  
4 registration under this section, the registrant:

5 (A) is not entitled to a credit or refund of any registration fees for the  
6 vehicle; and

7 (B) must immediately either return the metal fleet license plates to the  
8 department or provide the department with acceptable proof that the metal fleet license plates  
9 have been destroyed.

10 (j) Inspection fee. The registrant must pay the department by the deadline listed in the  
11 department's invoice for any fees that are required to be collected at the time of registration  
12 under Transportation Code, §548.509 on an annual basis under Transportation Code, §502.0023.  
13 [~~the state's portion of the vehicle inspection fee.~~]

14  
15 §217.55. Exempt and Alias Vehicle Registration.

16 (a) Exempt license plate registration.

17 (1) Issuance. Pursuant to Transportation Code, §502.453 or §502.456, certain  
18 vehicles owned by and used exclusively in the service of a governmental agency, owned by a  
19 commercial transportation company and used exclusively for public school transportation services,  
20 designed and used for fire-fighting or owned by a volunteer fire department and used in the  
21 conduct of department business, privately owned and used in volunteer county marine law  
22 enforcement activities, used by law enforcement under an alias for covert criminal investigations,  
23 owned by units of the United States Coast Guard Auxiliary headquartered in Texas and used



1 exclusively for conduct of United States Coast Guard or Coast Guard Auxiliary business and  
2 operations, or owned or leased by a non-profit emergency medical service provider are exempt  
3 from payment of a registration fee and are eligible for exempt plates.

4 (2) Application for exempt registration.

5 (A) Application. An application for exempt license plates shall be made to  
6 the county tax assessor-collector, shall be made on a form prescribed by the department, and shall  
7 contain the following information:

8 (i) vehicle description;

9 (ii) name of the exempt agency;

10 (iii) a certification by an authorized person stating that the vehicle is  
11 owned or under the control of and will be operated by the exempt agency; and

12 (iv) a certification that each vehicle listed on the application has the  
13 name of the exempt agency printed on each side of the vehicle in letters that are at least two  
14 inches high or in an emblem that is at least 100 square inches in size and of a color sufficiently  
15 different from the body of the vehicle as to be clearly legible from a distance of 100 feet, unless  
16 the applicant complies with the requirements under this section for each vehicle that is exempt by  
17 law from the inscription requirements.

18 (B) Emergency medical service vehicle.

19 (i) The application for exempt registration must contain the vehicle  
20 description, the name of the emergency medical service provider, and a statement signed by an  
21 officer of the emergency medical service provider stating that the vehicle is used exclusively as an  
22 emergency response vehicle and qualifies for registration under Transportation Code, §502.456.

1 (ii) A copy of an emergency medical service provider license issued  
2 by the Department of State Health Services must accompany the application.

3 (C) Fire-fighting vehicle. The application for exempt registration of a fire-  
4 fighting vehicle or vehicle owned privately by a volunteer fire department and used exclusively in  
5 the conduct of department business must contain the vehicle description, including a description  
6 of any fire-fighting equipment mounted on the vehicle if the vehicle is a fire-fighting vehicle. The  
7 certification must be executed by the person who has the proper authority and shall state either:

8 (i) the vehicle is designed and used exclusively for fire-fighting; or

9 (ii) the vehicle is owned by a volunteer fire department and is used  
10 exclusively in the conduct of its business.

11 (D) County marine law enforcement vehicle. The application for exempt  
12 registration of a privately-owned vehicle used by a volunteer exclusively in county marine law  
13 enforcement activities, including rescue operations, under the direction of the sheriff's  
14 department must include a statement signed by a person having the authority to act for a sheriff's  
15 department verifying that fact.

16 (E) United States Coast Guard Auxiliary vehicle. The application for exempt  
17 registration of a vehicle owned by units of the United States Coast Guard Auxiliary headquartered  
18 in Texas and used exclusively for conduct of United States Coast Guard or Coast Guard Auxiliary  
19 business and operation, including search and rescue, emergency communications, and disaster  
20 operations, must include a statement by a person having authority to act for the United States  
21 Coast Guard Auxiliary that the vehicle or trailer is used exclusively in fulfillment of an authorized  
22 mission of the United States Coast Guard or Coast Guard Auxiliary, including search and rescue,  
23 emergency communications, or disaster operations.

1 (F) Motor vehicles owned and used by state-supported institutions. If the  
2 applicant is exempt from the inscription requirements under Education Code §51.932, the  
3 applicant must present a certification that each vehicle listed on the application is exempt from  
4 the inscription requirements under Education Code §51.932.

5 (3) Exception. A vehicle may be exempt from payment of a registration fee but  
6 display license plates other than exempt license plates if the vehicle is not registered under  
7 subsection (b) of this section.

8 (A) If the applicant is a law enforcement office, the applicant must present a  
9 certification that each vehicle listed on the application will be dedicated to law enforcement  
10 activities.

11 (B) If the applicant is exempt from the inscription requirements under  
12 Transportation Code, §721.003, the applicant must present a certification that each vehicle listed  
13 on the application is exempt from inscription requirements under Transportation Code, §721.003.  
14 The applicant must also provide a citation to the section that exempts the vehicle.

15 (C) If the applicant is exempt from the inscription requirements under  
16 Transportation Code, §721.005 the applicant must present a certification that each vehicle listed  
17 on the application is exempt from inscription requirements under Transportation Code, §721.005.  
18 The applicant must also provide a copy of the order or ordinance that exempts the vehicle.

19 (b) Affidavit for issuance of exempt registration under an alias.

20 (1) On receipt of an affidavit for alias exempt registration, approved by the  
21 executive administrator of an exempt law enforcement agency, the department will issue alias  
22 exempt license plates for a vehicle and register the vehicle under an alias for the law enforcement  
23 agency's use in covert criminal investigations.

1                   (2) The affidavit for alias exempt registration must be in a form prescribed by the  
2 director and must include the vehicle description, a sworn statement that the vehicle will be used  
3 in covert criminal investigations, and the signature of the executive administrator or the executive  
4 administrator's designee as provided in paragraph (3) of this subsection. The vehicle registration  
5 insignia of any vehicles no longer used in covert criminal investigations shall be surrendered  
6 immediately to the department.

7                   (3) The executive administrator, by annually filing an authorization with the  
8 director, may appoint a staff designee to execute the affidavit. A new authorization must be filed  
9 when a new executive administrator takes office.

10                  (4) The letter of authorization must contain a sworn statement delegating the  
11 authority to sign the affidavit to a designee, the name of the designee, and the name and the  
12 signature of the executive administrator.

13                  (5) The affidavit for alias exempt registration must be accompanied by an [by a  
14 title] application required by the department to create the alias record of vehicle registration and  
15 title as outlined in §217.13 of this title (relating to Alias Certificate of Title)[under §217.103 of this  
16 title (relating to Restitution Liens)]. The application must contain the information required by the  
17 department to create the alias record of vehicle registration and title.

18                  (c) Replacement of exempt registration.

19                  (1) If a metal exempt license plate is lost, stolen, or mutilated, a properly executed  
20 application for metal exempt license plates must be submitted to the county tax assessor-  
21 collector.

22                  (2) An application for replacement metal exempt license plates must contain the  
23 vehicle description, original license number, and the sworn statement that the license plates

1 furnished for the vehicle have been lost, stolen, or mutilated and will not be used on any other  
2 vehicle.

3 (d) Title requirements. Unless exempted by statute, a vehicle must be titled at the time the  
4 exempt registration is issued.

5 (e) Extended Registration of County Fleet Vehicles.

6 (1) Subsections (a)(2), (a)(3)(B), and (c) of this section do not apply under this  
7 subsection.

8 (2) The owner of the exempt county fleet must file a completed application for  
9 exempt county fleet registration on a form prescribed by the department, and shall contain the  
10 following information:

11 (A) vehicle description;

12 (B) name of the exempt agency;

13 (C) a certification by an authorized person stating that the vehicle is owned  
14 by and used exclusively in the service of the county;

15 (D) a certification that each vehicle listed on the application has the name  
16 of the exempt agency printed on each side of the vehicle in letters that are at least two inches high  
17 or in an emblem that is at least 100 square inches in size and of a color sufficiently different from  
18 the body of the vehicle as to be clearly legible from a distance of 100 feet, unless the applicant  
19 complies with the requirements under this section for each vehicle that is exempt by law from the  
20 inscription requirements; and

21 (E) designation of a single registration period for the fleet to ensure that the  
22 registration period for each vehicle will expire on the same last day of a calendar month.

1                   (3) The application for exempt county fleet registration must be accompanied by  
2 any fees that are required to be collected at the time of registration under Transportation Code,  
3 §548.509 for the first year of registration under Transportation Code, §502.0025. [~~the state's~~  
4 ~~portion of the vehicle inspection fees.]~~

5                   (4) As evidence of registration, the department will issue a registration receipt and  
6 one or two metal exempt fleet license plates for each vehicle in the exempt county fleet. The  
7 registration receipt for each vehicle must be carried in that vehicle at all times and be made  
8 available to law enforcement personnel upon request. The registration receipt and exempt fleet  
9 license plates may not be transferred between vehicles, owners, or registrants.

10                  (5) An owner may add or remove a vehicle from an exempt county fleet at any time  
11 during the registration period. An added vehicle will be given the same registration period as the  
12 other vehicles in the exempt county fleet and will be issued a registration receipt and one or two  
13 metal exempt fleet license plates. Upon the removal of a vehicle from the exempt county fleet, the  
14 owner of the vehicle shall dispose of the registration receipt and shall either return the metal  
15 exempt fleet license plates to the department or provide the department with acceptable proof  
16 that the metal exempt fleet license plates have been destroyed.

17                  (6) An owner must pay the department by the deadline listed in the department's  
18 invoice for any fees that are required to be collected at the time of registration under  
19 Transportation Code, §548.509 on an annual basis under Transportation Code, §502.0025. [~~the~~  
20 ~~state's portion of the vehicle inspection fee.]~~ Payment shall be made in the manner prescribed by  
21 the department.

22                  (7) The department may cancel registration on an exempt county fleet or any  
23 vehicle in an exempt county fleet on the anniversary date of the registration if the vehicle is not in

1 compliance with Transportation Code §502.0025, this subsection, the inspection requirements  
2 under Transportation Code Chapter 548, or the inspection requirements in the rules of the Texas  
3 Department of Public Safety. A vehicle with a canceled registration may not be operated on a  
4 public highway.

5 (8) If the department cancels the registration of a vehicle in an exempt county fleet  
6 under subsection (e)(7) of this section, the owner may request that the department reinstate the  
7 registration. To request reinstatement, the owner must comply with the requirements that led the  
8 department to cancel the registration and must provide the department with notice of compliance  
9 on a form prescribed by the department. An owner is eligible for reinstatement of the registration  
10 of a vehicle in an exempt county fleet if the department receives the owner's request for  
11 reinstatement and proof of compliance no later than 90 calendar days after the date of the  
12 department's notice of cancellation. If the department does not timely receive an owner's request  
13 to reinstate the registration, the owner must immediately do the following:

14 (A) either return all metal exempt county fleet license plates to the  
15 department or provide the department with acceptable proof that the metal exempt county fleet  
16 license plates have been destroyed; and

17 (B) dispose of the registration receipt in a manner prescribed by the  
18 department.

19 (9) If a metal exempt county fleet license plate is lost, stolen, or mutilated, the  
20 owner may request a new metal exempt county fleet license plate from the department. The  
21 request must include the following:

1 (A) a certification that the previously issued metal exempt county fleet  
2 license plate furnished for the vehicle has been lost, stolen, or mutilated and that the new metal  
3 exempt county fleet license plate will not be used on any other vehicle;

4 (B) the vehicle description; and

5 (C) the original license plate number, if applicable.

6

7 §217.56. Registration Reciprocity Agreements.

8 (a) Purpose. To promote and encourage the fullest possible use of the highway system and  
9 contribute to the economic development and growth of the State of Texas and its residents, the  
10 department is authorized by Transportation Code, §502.091 to enter into agreements with duly  
11 authorized officials of other jurisdictions, including any state of the United States, the District of  
12 Columbia, a foreign country, a state or province of a foreign country, or a territory or possession of  
13 either the United States or of a foreign country, and to provide for the registration of vehicles by  
14 Texas residents and nonresidents on an allocation or distance apportionment basis, and to grant  
15 exemptions from the payment of registration fees by nonresidents if the grants are reciprocal to  
16 Texas residents.

17 (b) Definitions. The following words and terms, when used in this section, shall have the  
18 following meanings, unless the context clearly indicates otherwise:

19 (1) Cab card--The apportioned vehicle registration receipt that contains, but is not  
20 limited to, the vehicle description and the registered weight at which the vehicle may operate in  
21 each jurisdiction.

22 (2) Department--The Texas Department of Motor Vehicles.



1                   (3) Director--The director of the Motor Carrier Division, Texas Department of Motor  
2 Vehicles.

3                   (4) Executive director--The chief executive officer of the department.

4                   (5) Regional Service Center--A department office which provides specific services to  
5 the public, including replacement titles, bonded title notices of determination [~~rejection letters~~],  
6 and apportioned registration under the International Registration Plan (IRP).

7                   (6) Temporary cab card--A temporary registration [~~permit~~] authorized by the  
8 department that allows the operation of a vehicle for 30 days subject to all rights and privileges  
9 afforded to a vehicle displaying apportioned registration.

10                  (c) Multilateral agreements.

11                   (1) Authority. The executive director may on behalf of the department enter into a  
12 multilateral agreement with the duly authorized officials of two or more other jurisdictions to  
13 carry out the purpose of this section.

14                   (2) International Registration Plan.

15                   (A) Applicability. The IRP is a registration reciprocity agreement among  
16 states of the United States and other jurisdictions providing for payment of registration fees on the  
17 basis of fleet distance operated in various jurisdictions. Its purpose is to promote and encourage  
18 the fullest possible use of the highway system by authorizing apportioned registration for  
19 commercial motor vehicles and payment of appropriate vehicle registration fees and thus  
20 contributing to the economic development and growth of the member jurisdictions.

21                   (B) Adoption. The department adopts by reference the January 1, 2024,  
22 [~~2022~~,] version of the IRP. The department also adopts by reference the January 1, 2016, version of  
23 the IRP Audit Procedures Manual. In the event of a conflict between this section and the IRP or the  
06/27/2024

1 IRP Audit Procedures Manual, the IRP and the IRP Audit Procedures Manual control. Copies of the  
2 documents are available online at [www.irponline.org](http://www.irponline.org) or on request to the department. [~~for review~~  
3 ~~in the Motor Carrier Division, Texas Department of Motor Vehicles. Copies are also available on~~  
4 ~~request.~~]

5 (C) Application.

6 (i) An applicant must submit an application to the department on a  
7 form prescribed by the director, along with additional documentation as required by the director.  
8 An applicant shall provide the department with a copy of the applicant's receipt under the Unified  
9 Carrier Registration System Plan and Agreement under 49 U.S.C. §14504a (UCR) to prove the  
10 applicant is currently registered under UCR if the applicant is required to register under UCR.

11 (ii) Upon approval of the application, the department will compute  
12 the appropriate registration fees and notify the registrant.

13 (D) Fees. Upon receipt of the applicable fees in the form as provided by  
14 §209.23 of this title (relating to Methods of Payment), the department will issue one or two license  
15 plates and a cab card for each vehicle registered.

16 (E) Display of License Plates and Cab Cards.

17 (i) The department will issue one license plate for a tractor, truck-  
18 tractor, trailer, and semitrailer. The license plate issued to a tractor or a truck-tractor shall be  
19 installed on the front of the tractor or truck-tractor, and the license plate issued for a trailer or  
20 semitrailer shall be installed on the rear of the trailer or semitrailer.

21 (ii) The department will issue two license plates for all other vehicles  
22 that are eligible to receive license plates under the IRP. Once the department issues two license

1 plates for a vehicle listed in this clause, one plate shall be installed on the front of the vehicle, and  
2 one plate shall be installed on the rear of the vehicle.

3 (iii) The cab card shall be carried at all times in the vehicle in  
4 accordance with the IRP. If the registrant chooses to display an electronic image of the cab card on  
5 a wireless communication device or other electronic device, such display does not constitute  
6 consent for a peace officer, or any other person, to access the contents of the device other than  
7 the electronic image of the cab card.

8 (iv) The authority to display an electronic image of the cab card on a  
9 wireless communication device or other electronic device does not prevent the Texas State Office  
10 of Administrative Hearings or a court of competent jurisdiction from requiring the registrant to  
11 provide a paper copy of the cab card in connection with a hearing, trial, or discovery proceeding.

12 (F) Audit. An audit of the registrant's vehicle operational records may be  
13 conducted by the department according to the IRP provisions and the IRP Audit Procedures  
14 Manual. Upon request, the registrant shall provide the operational records of each vehicle for  
15 audit in unit number order, in sequence by date, and including, but not limited to, a summary of  
16 distance traveled by each individual vehicle on a monthly, quarterly, and annual basis with  
17 distance totaled separately for each jurisdiction in which the vehicle traveled.

18 (G) Assessment. The department may assess additional registration fees of  
19 up to 100% of the apportionable fees paid by the registrant for the registration of its fleet in the  
20 registration year to which the records pertain, as authorized by the IRP, if an audit conducted  
21 under subparagraph (F) of this paragraph reveals that:

22 (i) the operational records indicate that the vehicle did not generate  
23 interstate distance in two or more member jurisdictions for the distance reporting period

1 supporting the application being audited, plus the six-month period immediately following that  
2 distance reporting period;

3 (ii) the registrant failed to provide complete operational records; or

4 (iii) the distance must be adjusted, and the adjustment results in a  
5 shortage of registration fees due Texas or any other IRP jurisdiction.

6 (H) Refunds. If an audit conducted under subparagraph (F) of this paragraph  
7 reveals an overpayment of fees to Texas or any other IRP jurisdiction, the department will refund  
8 the overpayment of registration fees in accordance with Transportation Code, §502.195 and the  
9 IRP. Any registration fees refunded to a carrier for another jurisdiction will be deducted from  
10 registration fees collected and transmitted to that jurisdiction.

11 (I) Cancellation or revocation. The director or the director's designee may  
12 cancel or revoke a registrant's apportioned registration and all privileges provided by the IRP as  
13 authorized by the following:

14 (i) the IRP; or

15 (ii) Transportation Code, Chapter 502.

16 (J) Procedures for assessment, cancellation, or revocation.

17 (i) Notice. If a registrant is assessed additional registration fees, as  
18 provided in subparagraph (G) of this paragraph, and the additional fees are not paid by the due  
19 date provided in the notice or it is determined that a registrant's apportioned license plates and  
20 privileges should be canceled or revoked, as provided in subparagraph (I) of this paragraph, the  
21 director or the director's designee will mail a notice by certified mail to the last known address of  
22 the registrant. The notice will state the facts underlying the assessment, cancellation, or

1 revocation; the effective date of the assessment, cancellation, or revocation; and the right of the  
2 registrant to request a conference as provided in clause (ii) of this subparagraph.

3 (ii) Conference. A registrant may request a conference upon receipt  
4 of a notice issued as provided by clause (i) of this subparagraph. The request must be made in  
5 writing to the director or the director's designee within 30 days of the date of the notice. If timely  
6 requested, the conference will be scheduled and conducted by the director or the director's  
7 designee at division headquarters in Austin and will serve to abate the assessment, cancellation, or  
8 revocation unless and until that assessment, cancellation, or revocation is affirmed or disaffirmed  
9 by the director or the director's designee. In the event matters are resolved in the registrant's  
10 favor, the director or the director's designee will mail the registrant a notice of withdrawal,  
11 notifying the registrant that the assessment, cancellation, or revocation is withdrawn, and stating  
12 the basis for that action. In the event matters are not resolved in the registrant's favor, the  
13 director or the director's designee will issue a decision reaffirming the department's assessment of  
14 additional registration fees or cancellation or revocation of apportioned license plates and  
15 privileges. The registrant has the right to appeal in accordance with clause (iii) of this  
16 subparagraph.

17 (iii) Appeal. If a conference held in accordance with clause (ii) of this  
18 subparagraph fails to resolve matters in the registrant's favor, the registrant may submit an appeal under  
19 §224.122 of this title (relating to Appeal of Decision Regarding Assessment, Cancellation, or Revocation  
20 Under §217.56). An appeal will be governed by Chapter 224 of this title (relating to Adjudicative  
21 Practice and Procedure) and Transportation Code, Chapter 502.

22 (K) Reinstatement.

1 (i) The director or the director's designee will reinstate apportioned  
2 registration to a previously canceled or revoked registrant if all applicable fees and assessments  
3 due on the previously canceled or revoked apportioned account have been paid and the applicant  
4 provides proof of an acceptable recordkeeping system for a period of no less than 60 days.

5 (ii) The application for the following registration year will be  
6 processed in accordance with the provisions of the IRP.

7 (L) Denial of apportioned registration for safety reasons. The department  
8 will comply with the requirements of the Performance and Registration Information Systems  
9 Management program (PRISM) administered by the Federal Motor Carrier Safety Administration  
10 (FMCSA).

11 (i) Denial or suspension of apportioned registration. Upon  
12 notification from the FMCSA that a carrier has been placed out of service for safety violations, the  
13 department will:

14 (I) deny initial issuance of apportioned registration;

15 (II) deny authorization for a temporary cab card, as provided  
16 for in subparagraph (M) of this paragraph;

17 (III) deny renewal of apportioned registration; or

18 (IV) suspend current apportioned registration.

19 (ii) Issuance after denial of registration or reinstatement of  
20 suspended registration. The director or the director's designee will reinstate or accept an initial or  
21 renewal application for apportioned registration from a registrant who was suspended or denied  
22 registration under clause (i) of this subparagraph upon presentation of a Certificate of Compliance  
23 from FMCSA, in addition to all other required documentation and payment of fees.

1 (M) Temporary cab card.

2 (i) Application. The department may authorize issuance of a  
3 temporary cab card to a motor carrier with an established Texas apportioned account for a vehicle  
4 upon proper submission of all required documentation, a completed application, and all fees for  
5 either:

6 (I) Texas title as prescribed by Transportation Code, Chapter  
7 501 and Subchapter A of this chapter (relating to Motor Vehicle Titles); or

8 (II) registration receipt to evidence title for registration  
9 purposes only (Registration Purposes Only) as provided for in Transportation Code, §501.029 and  
10 §217.24 of this title (relating to Vehicle Last Registered in Another Jurisdiction).

11 (ii) Title application. A registrant who is applying for a Texas title as  
12 provided for in clause (i)(I) of this subparagraph and is requesting authorization for a temporary  
13 cab card, must submit to a Regional Service Center a photocopy of the title application receipt  
14 issued by the county tax assessor-collector's office.

15 (iii) Registration Purposes Only. A registrant who is applying for  
16 Registration Purposes Only under clause (i)(II) of this subparagraph and is requesting authorization  
17 for a temporary cab card, must submit an application and all additional original documents or  
18 copies of original documents required by the director to a Regional Service Center.

19 (iv) Department approval. On department approval of the submitted  
20 documents, the department will send notice to the registrant to finalize the transaction and make  
21 payment of applicable registration fees.

1 (v) Finalization and payment of fees. To finalize the transaction and  
2 print the temporary cab card, the registrant may compute the registration fees through the  
3 department's apportioned registration software application, TxFLEET [~~TxIRP~~] system, and:

4 (I) make payment of the applicable registration fees to the  
5 department as provided by §209.23 of this title; and

6 (II) afterwards, mail or deliver payment of the title  
7 application fee in the form of a check, certified cashier's check, or money order payable to the  
8 county tax assessor-collector in the registrant's county of residency and originals of all copied  
9 documents previously submitted.

10 (vi) Deadline. The original documents and payment must be  
11 received by the Regional Service Center within 72-hours after the time that the office notified the  
12 registrant of the approval to print a temporary cab card as provided in clause (iv) of this  
13 subparagraph.

14 (vii) Failure to meet deadline. If the registrant fails to submit the  
15 original documents and required payment within the time prescribed by clause (vi) of this  
16 subparagraph, the registrant's privilege to use this expedited process to obtain a temporary cab  
17 card will be denied by the department for a period of six months from the date of approval to print  
18 the temporary cab card.

19 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code  
20 §551.202, which identifies the operation on roadways of electric personal assistive mobility devices.

21 **CROSS REFERENCE TO STATUTE.** The proposed repeal would implement Transportation Code §551.202,  
22 §217.34, Electric Personal Assistive Mobility Devices.



1

2 Text.

3 [~~217.34. Electric Personal Assistive Mobility Device.~~]

4 [~~The owner of an electric personal assistive mobility device, as defined by Transportation~~  
5 ~~Code, §551.201, is not required to register it. The device may only be operated on a residential~~  
6 ~~street, roadway, or public highway in accordance with Transportation Code, §551.202.]~~

7

8

### SUBCHAPTER C. REGISTRATION AND TITLE SYSTEMS

9

#### 43 TAC §§217.71, 217.74, AND 217.75

10

11 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
12 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
13 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
14 Vehicles; Transportation Code §502.040, which authorizes the department to prescribe the process and  
15 procedures for applying for a motor vehicle registration; Transportation Code §502.059, which  
16 authorizes the department to adopt rules providing for an automated registration process;  
17 Transportation Code §520.003, which authorizes the department to adopt rules to administer  
18 Transportation Code §520, Miscellaneous Provisions; Transportation Code §520.004, which authorizes  
19 the department to adopt rules to establish standards for uniformity and service quality for counties  
20 conducting registration and titling services; Transportation Code §520.0055, as created by HB 718, gives  
21 the department authority to mandate motor vehicle dealers use a department designated electronic  
22 system to submit title and registration applications to county tax assessor-collectors for motor vehicle  
23 transactions; and Transportation Code §1002.001, which authorizes the board to adopt rules that are

1 necessary and appropriate to implement the powers and the duties of the department, as well as the  
2 statutes referenced throughout the this preamble.

3 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
4 §§502.0021, 502.040, 502.059, 520.003, 520.004, 520.0055, and 1002.

5  
6 Text.

7 §217.71. Automated and Web-Based Vehicle Registration and Title Systems.

8 (a) Purpose.

9 (1) Transportation Code, Chapters 501 and 502, charge the department with the  
10 responsibility for issuing titles and registering vehicles operating on the roads, streets, and  
11 highways of the state.

12 (2) To provide a more efficient, cost-effective system for registering and titling  
13 vehicles, submitting title and registration records to county tax assessor-collectors and the  
14 department, maintaining records, improving inventory control of accountable items, and collecting  
15 and reporting of applicable fees consistent with those statutes, the department has designed:

16 (A) an automated system known as the registration and title system. This  
17 system expedites registration and titling processes, provides a superior level of customer service to  
18 the owners and operators of vehicles, and facilitates availability of the department's motor vehicle  
19 records for official law enforcement needs. Automated equipment compatible with the  
20 registration and title system is indispensable to the operational integrity of the system; and

21 (B) a web-based system known as webDEALER. This system expedites  
22 registration and titling processes, provides a superior level of customer service to the owners and

1 operators of vehicles, and facilitates availability of the department's motor vehicle records for  
2 official law enforcement needs.

3 (3) This subchapter prescribes the policies and procedures under which the  
4 department may make the automated equipment available to a county tax assessor-collector as  
5 designated agent of the state for processing title and vehicle registration documents and the  
6 policies and procedures ~~[for users who opt]~~ to use webDEALER.

7 (b) Definitions. The following words and terms, when used in this subchapter, shall have  
8 the following meanings, unless the context clearly indicates otherwise.

9 (1) Automated equipment--Equipment associated with the operation of the  
10 registration and titling system, including, but not limited to, microcomputers, printers, software,  
11 and cables.

12 (2) Department--The Texas Department of Motor Vehicles.

13 (3) Executive director--The executive director of the Texas Department of Motor  
14 Vehicles.

15 (4) Fair share allocation--The amount of automated equipment determined by the  
16 department to be effective at providing a reasonable level of service to the public. This amount  
17 will be determined on transaction volumes, number of county substations, and other factors  
18 relating to a particular county's need.

19 (5) RTS--The department's registration and title system.

20 (6) Title application--A form as defined by §217.2 of this title (relating to  
21 Definitions), and includes the electronic process provided by the department that captures the  
22 information required by the department to create a motor vehicle title record.

1 (7) webDEALER--The department's web-based titling and registration system used  
2 to submit title applications to county tax assessor-collectors and the department. This term  
3 includes any other web-based system which facilitates electronic submission of title applications,  
4 including webSALVAGE, eTITLE, and webLIEN.

5

6 §217.74. webDEALER Access, Use, and Training. [~~Access to and Use of webDEALER.~~]

7 (a) Each county tax assessor-collector shall request access to, and accept title applications  
8 submitted through, webDEALER. A county tax assessor-collector must utilize webDEALER in order  
9 to accept a title application in the county as provided by subsections (b) and (c) of this section.

10 (b) Except as provided in subsection (c) of this section, a person who wishes to become a  
11 user of webDEALER must contact each entity to whom they submit title applications for  
12 authorization to utilize webDEALER. A user must receive authorization from each entity, including  
13 each county tax assessor-collector, to whom the user submits title applications. Title applications  
14 submitted to the department require the authorization by the department.

15 (c) A motor vehicle dealer who holds [~~holder of~~] a general distinguishing number (holder)  
16 [~~who wishes to become a user of webDEALER~~] must contact each county tax assessor-collector to  
17 whom they submit title applications for webDEALER access. The county must provide the holder  
18 access. A holder must obtain access from each county [~~tax assessor collector~~] to whom the user  
19 submits title applications. All active holders must obtain access to webDEALER in advance of July 1,  
20 2025. If a holder does not have webDEALER access by April 30, 2025, the department may provide  
21 the holder access to webDEALER in the county where the holder is located.

1 (d) A county tax assessor-collector may authorize a deputy appointed by the county tax  
2 assessor-collector in accordance with subchapter H of this chapter (relating to Deputies) to utilize  
3 webDEALER.

4 (e) An entity or [A] person authorized under subsection (b) of this section may have their  
5 authorization to use webDEALER revoked, rescinded, or cancelled at any time, with no notice, at  
6 the discretion of a county tax assessor-collector or the department.

7 (f) When submitting a title application through webDEALER, a user must:

8 (1) stamp the word "SURRENDERED" across the front face and the next open  
9 assignment or reassignment space of any secure title document or other acceptable ownership  
10 evidence as determined by the department in:

11 (A) arial font;

12 (B) black ink; and

13 (C) a size of 1/4" height x 2 1/4" length;

14 (2) retain the physical document described in paragraph (1) of this subsection for a  
15 minimum of four calendar years from the date of submitting a scanned copy of the stamped title  
16 document using the webDEALER system; and

17 (3) submit any documents required to be submitted with the title application with a  
18 scanned resolution of at least 200 dots per inch (DPI).

19 (g) Required webDEALER training. A holder described under subsection (c) and required to  
20 process title and registration transactions through webDEALER in accordance with Transportation  
21 Code, Section 520.0055, and each user accessing webDEALER under the holder's account must  
22 complete webDEALER training conducted by the department by April 30, 2025. New users created

1 on or after April 30, 2025, must complete webDEALER training before being given webDEALER  
2 permissions.

3 (1) Required training will include, at a minimum, training regarding transactions  
4 performed in webDEALER and proper use of the system.

5 (2) A holder who has had access to webDEALER for more than six months and  
6 submitted more than 100 transactions within the system as of October 1, 2024, is not required to  
7 take the webDEALER training under this section.

8 (3) Failure for holders and users accessing webDEALER under the holder’s account  
9 to complete the required training as outlined in this section shall result in denial of access to  
10 webDEALER.

11

12 §217.75. Required Training on the Registration and Title System and Identification of Fraud.

13 (a) Required training. A person performing registration or titling services through RTS,  
14 including a department employee, department contractor, county tax assessor-collector employee,  
15 or full service deputy as defined by §217.162(6) of this title (relating to Definitions), must complete  
16 a training program as prescribed by this section. Required training will include, at a minimum:

17 (1) training regarding transactions performed in RTS; and

18 (2) identification of fraudulent activity related to vehicle registration and titling.

19 (b) Online training. The department will make required training for county tax assessor-  
20 collector employees and full service deputies available through the department's online training  
21 system.

22 (c) Registration and Title System training for county tax assessor-collector staff and full  
23 service deputies. To satisfy the training requirements under subsection (a)(1) of this section, a

1 county tax assessor-collector employee or full service deputy must complete each training course  
2 associated with the permissions that person is assigned in RTS. A person completes a training  
3 course when the person obtains a score of at least 80 percent on the course test, and the training  
4 is verified. This section does not limit the number of times or how often a person may take a  
5 training course or test.

6 (1) A county tax assessor-collector or county tax assessor-collector's system  
7 administrator must create accounts for and assign permissions in RTS to each employee or full  
8 service deputy who will be given access to RTS based on that person's job duties as determined by  
9 the county tax assessor-collector or the county tax assessor-collector's system administrator.

10 (2) The department will assign training content for specific permissions in RTS.

11 (3) A person must take required training using the person's individually assigned  
12 training identifier for the department's online training system.

13 (4) The department will enable a permission on completion of required training.

14 (5) ~~[A person with permissions in RTS on or before the effective date of this section  
15 must complete required training under this section by August 31, 2020. A person who has not been  
16 assigned permissions in RTS on or before the effective date of this section must complete all  
17 required training before permissions are enabled by the department.]~~

18 ~~[(6)]~~ If new training is made available for a new or existing permission ~~[after August  
19 31, 2020,]~~ a person with permissions enabled before the new training is made available must  
20 complete the required training within 120 days of the department's notification that the training is  
21 available. A county employee, or full service deputy, who is on leave on the date of the  
22 department's notification that the new training is available, for at least 120 days thereafter, and

1 due to circumstances beyond that person's control, as determined by the county tax assessor-  
2 collector may have an additional 14 days upon returning to work to complete the new training.

3 (d) Failure to complete required training.

4 (1) Except as provided in paragraph (2) of this subsection, the department will  
5 disable a permission if a person fails to complete required training for the permission within the  
6 timeframes required by this section.

7 (2) The department will not disable a permission for a county tax assessor-collector  
8 employee or a full service deputy if the person timely submits their score for each required  
9 training course; however, the department will disable the person's permission if the department  
10 determines that the submitted score is not at least 80 percent.

11 (3) A disabled permission may be enabled by using the process to complete training  
12 and enable permissions in subsection (c) of this section.

13

14 **SUBCHAPTER D. NONREPAIRABLE AND SALVAGE MOTOR VEHICLES**

15 **43 TAC §§217.81-217.86, 217.88, and 217.89**

16

17 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
18 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code,  
19 Chapter 501, Certificate of Title Act; Transportation Code, §501.030, which authorizes the department to  
20 adopt rules governing identification number inspections for motor vehicles brought into the state;  
21 Transportation Code, §501.0925, which authorizes the department to adopt rules governing the issuance  
22 of titles to insurance companies; Transportation Code, §501.097, which authorizes the department to  
23 prescribe the process and procedures for applying for nonrepairable and salvage vehicle titles;



1 Transportation Code, §501.1003, which authorizes the department to require salvage dealers to report  
2 nonrepairable and salvage motor vehicles that are dismantled, scrapped or destroyed and to surrender  
3 ownership documents for such vehicles; and Transportation Code, §1002.001, which authorizes the board  
4 to adopt rules that are necessary and appropriate to implement the powers and the duties of the  
5 department, as well as the statutes referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§501.0041, 501.030, 501.0925, 501.097, 501.1003, and 1002.001.

8

9 Text.

10 §217.81. Purpose and Scope.

11 Transportation Code, Chapter 501, Subchapter E, charges the department with the responsibility  
12 of issuing titles for non[-]repairable and salvage motor vehicles [~~titles~~] and [~~certificates of~~] titles for  
13 rebuilt salvage motor vehicles. For the department to efficiently and effectively issue the vehicle titles  
14 [~~and certificates of title~~], maintain records, collect the applicable fees, and ensure the proper application  
15 by motor vehicle owners, this subchapter prescribes the policies and procedures for the application for  
16 and issuance of vehicle titles for non[-]repairable and salvage motor vehicles, and titles for rebuilt  
17 salvage motor vehicles.

18

19 §217.82. Definitions.

1           The following words and terms, when used in this subchapter, shall have the following meanings,  
2 unless the context clearly indicates otherwise.

3           (1) Casual sale--sale as defined by Transportation Code, §501.091(2) [~~The sale by a~~  
4 ~~salvage vehicle dealer, insurance company, or salvage pool operator of not more than five nonrepairable~~  
5 ~~or salvage motor vehicles to the same person during a calendar year. The term does not include a sale to~~  
6 ~~a salvage vehicle dealer or the sale of an export only motor vehicle to a person who is not a resident of~~  
7 ~~the United States].~~

8           (2) Certificate of title--title as defined by Transportation Code, §501.002(1-a) [~~A written~~  
9 ~~instrument that may be issued solely by and under the authority of the department and that reflects the~~  
10 ~~transferor, transferee, vehicle description, license plate and lien information, and rights of survivorship~~  
11 ~~agreement as specified in Subchapter A of this chapter or as required by the department].~~

12           (3) Application for Title--A form prescribed by the director of the department's Vehicle  
13 Titles and Registration Division that reflects the information required by the department to create a  
14 motor vehicle title record.

15           (4) Damage--damage as defined by Transportation Code, §501.091(3) [~~Sudden damage~~  
16 ~~to a motor vehicle caused by the motor vehicle being wrecked, burned, flooded, or stripped of major~~  
17 ~~component parts. The term does not include gradual damage from any cause, sudden damage caused by~~  
18 ~~hail, or any damage caused only to the exterior paint of the motor vehicle].~~

19           (5) Date of sale--The date of the transfer of possession of a specific vehicle from a seller  
20 to a purchaser.

21           (6) Department--The Texas Department of Motor Vehicles.

1           (7) Export-only sale--The sale of a nonrepairable or salvage motor vehicle, by a salvage  
2 vehicle dealer, including a salvage pool operator acting as agent for an insurance company, or a  
3 governmental entity, to a person who resides outside the United States.

4           (8) Flood damage--A title remark that is initially indicated on a nonrepairable or salvage  
5 vehicle title to denote that the damage to the vehicle was caused exclusively by flood and that is carried  
6 forward on subsequent title issuance.

7           (9) Insurance company--as defined by Transportation Code, §501.091(5) [~~A person~~  
8 ~~authorized to write automobile insurance in this state or an out-of-state insurance company that pays a~~  
9 ~~loss claim for a motor vehicle in this state].~~

10           (10) Manufacturer's certificate of origin--A form prescribed by the department showing  
11 the original transfer of a new motor vehicle from the manufacturer to the original purchaser, whether  
12 importer, distributor, dealer, or owner, and when presented with an application for title, showing, on  
13 appropriate forms prescribed by the department, each subsequent transfer between distributor and  
14 dealer, dealer and dealer, and dealer and owner.

15           (11) Metal recycler--A person as defined by Transportation Code §501.091(7) [~~who:~~  
16 ~~[(A) is predominately engaged in the business of obtaining ferrous or nonferrous~~  
17 ~~metal that has served its original economic purpose to convert the metal, or sell the metal for~~  
18 ~~conversion, into raw material products consisting of prepared grades and having an existing or potential~~  
19 ~~economic value;]~~

20           ~~[(B) has a facility to convert ferrous or nonferrous metal into raw material~~  
21 ~~products consisting of prepared grades and having an existing or potential economic value, by a method~~

1 ~~other than the exclusive use of hand tools, including the processing, sorting, cutting, classifying,~~  
2 ~~cleaning, baling, wrapping, shredding, shearing, or changing the physical form or chemical content of the~~  
3 ~~metal; and]~~

4 [(C) sells or purchases the ferrous or nonferrous metal solely for use as raw  
5 material in the production of new products].

6 (12) Motor vehicle--A vehicle described by Transportation Code, §501.002(17).

7 (13) Nonrepairable motor vehicle--A motor vehicle as defined by Transportation Code,  
8 §501.091(9).

9 (14) Nonrepairable vehicle title--title as defined by Transportation Code, §501.091(10) [A  
10 ~~document that evidences ownership of a nonrepairable motor vehicle~~].

11 (15) Nonrepairable record of title--title as defined by Transportation Code, §501.091(10-  
12 a).

13 (16)[(15)] Out-of-state buyer--buyer as defined by Transportation Code, §501.091(11) [A  
14 ~~person licensed in an automotive business by another state or jurisdiction if the department has listed~~  
15 ~~the holders of such a license as permitted purchasers of salvage motor vehicles or nonrepairable motor~~  
16 ~~vehicles based on substantially similar licensing requirements and on whether salvage vehicle dealers~~  
17 ~~licensed in Texas are permitted to purchase salvage motor vehicles or nonrepairable motor vehicles in~~  
18 ~~the other state or jurisdiction~~].

19 (17)[(16)] Out-of-state ownership document--A negotiable document issued by another  
20 jurisdiction that the department considers sufficient to prove ownership of a nonrepairable or salvage

1 motor vehicle and to support issuance of a comparable Texas certificate of title for the motor vehicle.

2 The term does not include a title issued by the department, including a:

3 (A) regular certificate of title;

4 (B) nonrepairable vehicle title;

5 (C) salvage vehicle title;

6 (D) salvage certificate;

7 (E) Certificate of Authority to Demolish a Motor Vehicle; or

8 (F) any other ownership document issued by the department.

9 (18) ~~[(17)]~~ Person--An individual, partnership, corporation, trust, association, or other  
10 private legal entity.

11 (19) ~~[(18)]~~ Rebuilt salvage ~~[certificate of]~~ title--A ~~[regular certificate of]~~ title evidencing  
12 ownership of a nonrepairable motor vehicle that was issued a nonrepairable vehicle title prior to  
13 September 1, 2003, or salvage motor vehicle that has been rebuilt.

14 (20) ~~[(19)]~~ Salvage motor vehicle--A motor vehicle, regardless of the year model:

15 (A) that ~~[is]~~:

16 (i) is damaged or is missing a major component part to the extent that  
17 the cost of repairs exceeds the actual cash value of the motor vehicle immediately before the damage; or

18 (ii) ~~[damaged and]~~ comes into this state under an out-of-state ownership  
19 document that states on its face "accident damage," "flood damage," "inoperable," "rebuildable,"

1 "salvageable," or similar notation, and is not an out-of-state ownership document with a "rebuilt," "prior  
2 salvage," or similar notation, or a nonrepairable motor vehicle; and

3 (B) does not include:

4 (i) a motor vehicle for which an insurance company has paid a claim for  
5 repairing hail damage, or theft, unless the motor vehicle was damaged during the theft and before  
6 recovery to the extent that the cost of repair exceeds the actual cash value of the motor vehicle  
7 immediately before the damage;

8 (ii) the cost of materials or labor for repainting the motor vehicle; or

9 (iii) sales tax on the total cost of repairs.

10 (21)[(20)] Salvage vehicle dealer--dealer as defined by Transportation Code,  
11 §501.091(17) [A person engaged in this state in the business of acquiring, selling, dismantling, repairing,  
12 rebuilding, reconstructing, or otherwise dealing in nonrepairable motor vehicles or salvage motor  
13 vehicles or used parts, including a person who is in the business of a salvage vehicle dealer, regardless of  
14 whether the person holds a license issued by the department to engage in the business. The term does  
15 not include a person who casually repairs, rebuilds, or reconstructs fewer than three salvage motor  
16 vehicles in the same calendar year].

17 (22)[(21)] Salvage vehicle title--title as defined by Transportation Code, §501.091(16) [A  
18 document issued by the department that evidences ownership of a salvage motor vehicle].

19 (23) Salvage record of title--title as defined by Transportation Code, §501.091(16-a).

20

1 §217.83. Requirement for Non[-]repairable or Salvage Vehicle Title or Nonrepairable or Salvage Record  
2 of Title.

3 (a) Determination of condition of vehicle.

4 (1) Salvage motor vehicle. When a vehicle is damaged, the actual cash value of the  
5 motor vehicle immediately before the damage and the cost of repairs shall be used to determine  
6 whether the damage is sufficient to classify the motor vehicle as a salvage motor vehicle.

7 (2) Non[-]repairable motor vehicle. When a vehicle is damaged, the actual cash value of  
8 the motor vehicle immediately before the damage and the cost of repairs, or any [~~alternate~~] method  
9 commonly used by the insurance industry, shall be used to determine whether the damage is sufficient  
10 to classify the motor vehicle as a non[-]repairable motor vehicle.

11 (3) The actual cash value of the motor vehicle is the market value of a motor vehicle as  
12 determined:

13 (A) from publications commonly used by the automotive and insurance  
14 industries to establish the values of motor vehicles; or

15 (B) if the entity determining the value is an insurance company, by any other  
16 procedure recognized by the insurance industry, including market surveys, that is applied in a uniform  
17 manner.

18 (4) The cost of repairs, including parts and labor, shall be determined by:

19 (A) using a manual of repair costs or other instrument that is generally  
20 recognized and used in the motor vehicle industry to determine those costs; or

1 (B) an estimate of the actual cost of the repair parts and the estimated labor  
2 costs computed by using hourly rate and time allocations that are reasonable and commonly assessed in  
3 the repair industry in the community in which the repairs are performed.

4 (5) The cost of repairs does not include:

5 (A) the cost of:

6 (i) repairs related to gradual damage to a motor vehicle;

7 (ii) repairs related to hail damage; or

8 (iii) materials and labor for repainting or when the damage is solely to  
9 the exterior paint of the motor vehicle; or

10 (B) sales tax on the total cost of repairs.

11 (b) Who must apply.

12 (1) An insurance company licensed to do business in this state that acquires ownership  
13 or possession of a non[-]repairable or salvage motor vehicle that is covered by a ~~certificate of~~ title  
14 issued by this state or a manufacturer's certificate of origin shall obtain a non[-]repairable or salvage  
15 vehicle title or nonrepairable or salvage record of title, as provided by §217.84 of this title (relating to  
16 Application for Non[-]repairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of Title),  
17 before selling or otherwise transferring the non[-]repairable or salvage motor vehicle, except as provided  
18 by subsection (c) of this section.

19 (2) A salvage vehicle dealer shall obtain a Non[-]repairable or Salvage Vehicle Title or  
20 Nonrepairable or Salvage Record of Title, or comparable out-of-state ownership document, before selling



1 or otherwise transferring the motor vehicle, except as provided by §217.88(b) of this title (relating to  
2 Sale, Transfer, or Release of Ownership of a Non[-]repairable or Salvage Motor Vehicle).

3 (3) A person, other than an insurance company or salvage vehicle dealer, who acquires  
4 ownership of a non[-]repairable or salvage motor vehicle that has not been issued a non[-]repairable  
5 vehicle title, a salvage vehicle title, or a comparable out-of-state ownership document, shall obtain a  
6 non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title, as provided by  
7 §217.84, before selling or otherwise transferring the motor vehicle, unless the motor vehicle will be  
8 dismantled, scrapped, or destroyed.

9 (c) Owner-retained vehicles.

10 [~~(1) An owner may retain a vehicle only as provided by this subsection and if the vehicle~~  
11 ~~was titled in Texas before it became a salvage or non-repairable vehicle.~~]

12 (1)~~(2)~~ When an insurance company pays a claim on a non[-]repairable or salvage motor  
13 vehicle and does not acquire ownership of the motor vehicle, the company shall submit through  
14 webDEALER to the department before the 31st day after the date of the payment of the claim, on a form  
15 prescribed by the department, a report stating that:

16 (A) the insurance company has paid a claim on the non[-]repairable or salvage  
17 motor vehicle; and

18 (B) the insurance company has not acquired ownership of the non[-]repairable  
19 or salvage motor vehicle.

20 (2)~~(3)~~ Upon receipt of the report described (2) in paragraph (2) of this subsection, the  
21 department will place an appropriate notation on the motor vehicle record to prevent registration and

1 transfer of ownership prior to the issuance of a salvage or non[-]repairable vehicle title or salvage or  
2 nonrepairable record of title.

3 (3)[(4)] The owner who retained the non[-]repairable or salvage motor vehicle to which  
4 this subsection applies shall obtain a non[-]repairable or salvage vehicle title or nonrepairable or salvage  
5 record of title, as provided by §217.84, before selling or otherwise transferring the non[-]repairable or  
6 salvage motor vehicle.

7 ~~[(5) Until a non-repairable or salvage vehicle title, or a comparable out-of-state~~  
8 ~~ownership document, has been issued for an owner retained non-repairable or salvage vehicle, the~~  
9 ~~owner of the motor vehicle may not sell or otherwise transfer ownership of the vehicle.]~~

10 (4)[(6)] The owner of an owner retained non[-]repairable or salvage motor vehicle may  
11 not operate or permit operation of the motor vehicle on a public highway, until the motor vehicle is  
12 rebuilt, titled as a rebuilt salvage motor vehicle or rebuilt non[-]repairable motor vehicle, if applicable,  
13 and is registered in accordance with Subchapter B of this chapter.

14 (d) Self-insured vehicles. The owner of a non[-]repairable or salvage motor vehicle that is self-  
15 insured and that has been removed from normal operation by the owner shall apply to the department  
16 for a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title, as provided by  
17 §217.84, before the 31st day after the damage occurred, and before selling or otherwise transferring  
18 ownership of the non[-]repairable or salvage motor vehicle.

19 (e) Casual sales. A salvage vehicle dealer, salvage pool operator, or insurance company that  
20 acquires a non[-]repairable or salvage motor vehicle shall apply to the department for a non[-]repairable

1 or salvage vehicle title or nonrepairable or salvage record of title, in accordance with §217.84, prior to  
2 offering the motor vehicle for sale in a casual sale.

3 (f) Export-only vehicles. A salvage vehicle dealer, including a salvage pool operator acting as  
4 agent for an insurance company, or governmental entity that acquires a non[-]repairable or salvage  
5 motor vehicle and offers it for sale to a non-United States resident shall apply to the department for a  
6 non[-]repairable or salvage vehicle title, as provided by §217.84, before selling or otherwise transferring  
7 the non[-]repairable or salvage motor vehicle and before delivery of the non[-]repairable or salvage  
8 motor vehicle to the buyer. A salvage vehicle dealer or governmental entity shall maintain records of all  
9 export-only non[-]repairable or salvage motor vehicle sales as provided by §217.88(g).

10 (g) Voluntary application. A person who owns or acquires a motor vehicle that is not a non[-]  
11 ]repairable or salvage motor vehicle may voluntarily, and on proper application, as provided by §217.84,  
12 apply for a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title.

13

14 §217.84. Application for Nonrepairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of  
15 Title.

16 (a) Place of application. The owner of a nonrepairable or salvage motor vehicle who is required  
17 to obtain or voluntarily chooses to obtain a nonrepairable or salvage vehicle title, as provided by §217.83  
18 of this title (relating to Requirement for Non[-]repairable or Salvage Vehicle Title or Nonrepairable or  
19 Salvage Record of Title), shall apply for a nonrepairable or salvage vehicle title or nonrepairable or  
20 salvage record of title by submitting an application, the required accompanying documentation, and the  
21 statutory fee to the department.

1 (b) Information on application. An applicant for a nonrepairable or salvage vehicle title or  
2 nonrepairable or salvage record of title shall submit an application on a form prescribed by the  
3 department. A completed form, in addition to any other information required by the department, must  
4 include:

5 (1) the name and current address of the owner;

6 (2) a description of the motor vehicle, including the model year, make, body style, and  
7 vehicle identification number;

8 (3) a statement describing whether the motor vehicle is a nonrepairable or salvage  
9 motor vehicle;

10 (4) whether the damage was caused exclusively by flood;

11 (5) a description of the damage to the motor vehicle that discloses which major  
12 component part(s) must be repaired or replaced as a result of the damage to the part(s);

13 (6) the odometer reading and brand, or the word "exempt" if the motor vehicle is  
14 exempt from federal and state odometer disclosure requirements, if the motor vehicle is a salvage motor  
15 vehicle;

16 (7) the name and mailing address of any lienholder and the date of lien, as provided by  
17 subsection (e) of this section; and

18 (8) the signature of the applicant or the applicant's authorized agent and the date the  
19 [~~certificate of~~] title application was signed.

1 (c) Accompanying documentation. A nonrepairable or salvage vehicle title or nonrepairable or  
2 salvage record of title application must be supported, at a minimum, by:

3 (1) evidence of ownership, as described by subsection (d)(1) or (3) of this section, if the  
4 applicant is an insurance company that is unable to locate one or more of the owners;

5 (2) an odometer disclosure statement properly executed by the seller of the motor  
6 vehicle and acknowledged by the purchaser, if the motor vehicle is less than 10 model years old and the  
7 motor vehicle is a salvage motor vehicle; and

8 (3) a release of any liens.

9 (d) Evidence of nonrepairable or salvage motor vehicle ownership.

10 (1) Evidence of nonrepairable or salvage motor vehicle ownership properly assigned to  
11 the applicant must accompany the application for a nonrepairable or salvage vehicle title or  
12 nonrepairable or salvage record of title, except as provided by paragraph (2) of this subsection. Evidence  
13 must include documentation sufficient to show ownership to the nonrepairable or salvage motor vehicle,  
14 such as:

15 (A) a Texas [~~Certificate of~~] Title;

16 (B) a certified copy of a Texas [~~Certificate of~~] Title;

17 (C) a manufacturer's certificate of origin;

18 (D) a Texas Salvage Certificate;

19 (E) a nonrepairable vehicle title or record of title;

20 (F) a salvage vehicle title or record of title;

1 (G) a comparable ownership document issued by another jurisdiction, except  
2 that if the applicant is an insurance company, evidence must be provided indicating that the insurance  
3 company is:

4 (i) licensed to do business in Texas; or

5 (ii) not licensed to do business in Texas, but has paid a loss claim for the  
6 motor vehicle in this state; or

7 (H) a photocopy of the inventory receipt or a title and registration verification  
8 evidencing surrender to the department of the negotiable evidence of ownership for a motor vehicle as  
9 provided by §217.86 of this title (relating to Dismantling, Scrapping, or Destruction of Motor Vehicles),  
10 and if the evidence of ownership surrendered was from another jurisdiction, a photocopy of the front  
11 and back of the surrendered evidence of ownership.

12 (2) An insurance company that acquires ownership or possession of a nonrepairable or  
13 salvage motor vehicle through payment of a claim may apply for a nonrepairable or salvage vehicle title  
14 to be issued in the insurance company's name without obtaining an ownership document or if it  
15 received an ownership document without the proper assignment of the owner if the company is unable  
16 to obtain a title from the owner, in accordance with paragraph (1) of this subsection, and the application  
17 is not made earlier than the 30th day after the date of payment of the claim. The application must also  
18 include:

19 (A) a statement that the insurance company has provided at least two written  
20 notices to the owner and any lienholder attempting to obtain the title or proper assignment of title for  
21 the motor vehicle;

1 (B) a statement that the insurance company paid a loss claim for the vehicle that  
2 was accepted; and

3 (C) any unassigned or improperly assigned title in the insurance company's  
4 possession.

5 (3) An insurance company that acquires, through payment of a claim, ownership or  
6 possession of a salvage motor vehicle or nonrepairable motor vehicle covered by an out-of-state  
7 ownership document may obtain a salvage ~~vehicle title~~ or nonrepairable vehicle title or salvage or  
8 nonrepairable record of title in accordance with paragraph (1) or (2) of this subsection if:

9 (A) the motor vehicle was damaged, stolen, or recovered in this state; or

10 (B) the motor vehicle owner from whom the company acquired ownership  
11 resides in this state.

12 (4) A salvage pool operator may apply for title consistent with Transportation Code,  
13 §501.0935. ~~[in the name of the salvage pool operator by providing to the department:]~~

14 ~~[(A) documentation from the insurance company that:]~~

15 ~~[(i) the salvage pool operator, on request of an insurance company, was~~  
16 ~~asked to take possession of the motor vehicle subject to an insurance claim and the insurance company~~  
17 ~~subsequently denied coverage or did not take ownership of the vehicle; and]~~

18 ~~[(ii) the name and address of the owner of the motor vehicle and the~~  
19 ~~lienholder, if any; and]~~

1                   ~~[(B) proof that the salvage pool operator, before the 31st day after receiving the~~  
2 ~~information from the insurance company, sent a notice to the owner and any lienholder informing them~~  
3 ~~that:]~~

4                   ~~[(i) the motor vehicle must be removed from the location specified in~~  
5 ~~the notice not later than the 30th day after the date the notice is mailed; and]~~

6                   ~~[(ii) if the motor vehicle is not removed within the time specified in the~~  
7 ~~notice, the salvage pool operator will sell the motor vehicle and retain from the proceeds any costs~~  
8 ~~actually incurred by the operator in obtaining, handling, and disposing of the motor vehicle, except for~~  
9 ~~charges:]~~

10                   ~~[(l) that have been or are subject to being reimbursed by a third~~  
11 ~~party; and]~~

12                   ~~[(ll) for storage or impoundment of the motor vehicle.]~~

13                   (5) Proof of notice under this subsection consists of:

14                   (A) the validated receipts for registered or certified mail and return receipt or an  
15 electronic certified mail receipt, including signature receipt; and

16                   (B) any unopened certified letters returned by the post office as unclaimed,  
17 undeliverable, or with no forwarding address.

18                   (e) Recordation of lien on nonrepairable and salvage vehicle titles. If the motor vehicle is a  
19 salvage motor vehicle, a new lien or a currently recorded lien may be recorded on the salvage vehicle



1 title. If the motor vehicle is a nonrepairable motor vehicle, only a currently recorded lien may be  
2 recorded on the nonrepairable vehicle title.

3 (f) Issuance. Upon receipt of a completed nonrepairable or salvage vehicle title application,  
4 accompanied by the statutory application fee and the required documentation, the department will,  
5 before the sixth business day after the date of receipt, issue a nonrepairable or salvage vehicle title or  
6 nonrepairable or salvage record of title, as appropriate.

7 (1) If the condition of salvage is caused exclusively by flood, a "Flood Damage" notation  
8 will be reflected on the face of the document and will be carried forward upon subsequent title issuance.

9 (2) If a lien is recorded on a nonrepairable or salvage vehicle title, the vehicle title will be  
10 mailed to the lienholder. For proof of ownership purposes, the owner will be mailed a receipt or printout  
11 of the newly established motor vehicle record, indicating a lien has been recorded.

12 (3) A nonrepairable vehicle title will state on its face that the motor vehicle may:

13 (A) not be repaired, rebuilt, or reconstructed;

14 (B) not be issued a regular [~~certificate of~~] title or registered in this state;

15 (C) not be operated on a public highway; and

16 (D) may only be used as a source for used parts or scrap metal.

17

18 §217.85. Replacement of Non[-]repairable or Salvage Motor Vehicle Ownership Documents.

19 (a) Location. Applications for certified copies of ownership documents for non[-]repairable or  
20 salvage motor vehicles will only be processed at the department's Austin headquarters office.

1 (b) Notation. The certified copy will contain the words "Certified Copy" and the date issued, and  
2 the motor vehicle record will be noted accordingly until ownership of the non[-]repairable or salvage  
3 motor vehicle is transferred. Then the notation will be eliminated from the new [~~certificate of~~] title and  
4 from the motor vehicle record.

5 (c) Replacement of non[-]repairable or salvage vehicle titles. If a non[-]repairable or salvage  
6 vehicle title is lost or destroyed, the department will issue a certified copy of the ownership document  
7 type originally issued, except as provided by subsection (d)(2) of this section, to the motor vehicle owner,  
8 lienholder, or verifiable agent on submission of verifiable proof and payment of the appropriate fee as  
9 provided in §217.7 of this title (relating to Replacement of Title).

10 (d) Replacement of non[-]repairable or salvage ownership documents issued prior to September  
11 1, 2003.

12 (1) If a salvage certificate of title issued by this state prior to September 1, 2003, is lost  
13 or destroyed, the department will issue a certified copy of a salvage vehicle title, to the motor vehicle  
14 owner, lienholder, or verifiable agent on proper application, submission of verifiable proof, and payment  
15 of the appropriate fee as provided in §217.7.

16 (2) If a non[-]repairable certificate of title or salvage certificate issued by this state prior  
17 to September 1, 2003, is lost or destroyed, the department will issue a salvage vehicle title to the motor  
18 vehicle owner, lienholder, or verifiable agent on proper application, submission of verifiable proof, and  
19 payment of the appropriate fee as provided in §217.7.

20

21 §217.86. Dismantling, Scrapping, or Destruction of Motor Vehicles.

1 (a) A person who acquires ownership of a non[-]repairable or salvage motor vehicle for the  
2 purpose of dismantling, scrapping, or destruction shall, not later than the 30th day after the motor  
3 vehicle was acquired:

4 (1) submit to the department a report, on a form prescribed by the department:

5 (A) stating that the motor vehicle will be dismantled, scrapped, or destroyed;

6 and

7 (B) certifying that all unexpired license plates and registration validation stickers  
8 have been removed from the motor vehicle, in accordance with Occupations Code, §2302.252; and

9 (2) surrender to the department the properly assigned ownership document.

10 (b) The person shall:

11 (1) maintain records of each motor vehicle that will be dismantled, scrapped, or  
12 destroyed, as provided by Chapter 221, Subchapter D of this title (relating to Records); and

13 (2) store all unexpired license plates and registration validation stickers removed from  
14 those vehicles in a secure location.

15 (c) The department will issue the person a receipt with surrender of the report and ownership  
16 documents.

17 (d) For purposes of dismantling, scrapping, or destruction, a nonrepairable or salvage motor  
18 vehicle may only be transferred to a metal recycler upon issuance of a receipt as provided in subsection  
19 (c) of this section. The transfer shall be documented on a form prescribed by the department and be

1 included with the transfer of the vehicle along with the receipt as provided in subsection (c) of this  
2 section.

3 (e)[(d)] License plates and registration validation stickers removed from vehicles reported under  
4 subsection (a)(1) of this section may be destroyed upon receipt of the acknowledged report from the  
5 department.

6 (f)[(e)] The department will place an appropriate notation on motor vehicle records for which  
7 ownership documents have been surrendered to the department.

8 (g)[(f)] Not later than 60 days after the motor vehicle is delivered to the metal recycler for  
9 purposes of the vehicle being dismantled, scrapped, or destroyed, the person shall report to the  
10 department and provide evidence that the motor vehicle has been dismantled, scrapped, or destroyed.

11  
12 §217.88. Sale, Transfer, or Release of Ownership of a Non[-]repairable or Salvage Motor Vehicle.

13 (a) Sale, transfer or release with [With] a non[-]repairable or salvage motor vehicle title or  
14 nonrepairable or salvage record of title. The ownership of a motor vehicle for which a non[-]repairable  
15 vehicle title, non[-]repairable record of title, salvage vehicle title, salvage record of title, or a comparable  
16 out-of-state ownership document has been issued, including a motor vehicle that has a "Flood Damage"  
17 notation on the title, may be sold, transferred, or released to anyone.

18 (b) Sale, transfer or release without [Without] a non[-]repairable or salvage motor vehicle title or  
19 nonrepairable or salvage record of title shall be consistent with Transportation Code, §501.095(a). [~~if a~~  
20 ~~non-repairable vehicle title, non-repairable record of title, salvage vehicle title, salvage record of title, or~~  
21 ~~a comparable out-of-state ownership document has not been issued for a non-repairable or salvage~~

1 ~~motor vehicle, only a salvage vehicle dealer, used automotive parts recycler, metal recycler, insurance~~  
2 ~~company, or governmental entity may sell, transfer, or otherwise release ownership of the motor vehicle.~~

3 Such person may only sell, transfer, or otherwise release ownership of a motor vehicle to which this  
4 subsection applies to:}]

5 [(1) a salvage vehicle dealer;}]

6 [(2) a used automotive parts recycler;}]

7 [(3) a metal recycler;}]

8 [(4) a governmental entity; or}]

9 [(5) an insurance company.}]

10 (c) Sale of self-insured non[-]repairable or salvage motor vehicle. The owner of a self-insured  
11 non[-]repairable or salvage motor vehicle that has been damaged and removed from normal operation  
12 shall obtain a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title before  
13 selling or otherwise transferring ownership of the motor vehicle.

14 (d) Casual sales. A salvage vehicle dealer, salvage pool operator, or insurance company may sell  
15 up to five non[-]repairable or salvage motor vehicles, for which non[-]repairable or salvage vehicle titles  
16 or nonrepairable or salvage record of title have been issued, to a person, not to include those specified  
17 in Transportation Code, §501.091(2)(A-C), in a casual sale during a calendar year.

18 (e) Records of casual sales.

- 1 (1) A salvage vehicle dealer, salvage pool operator, or insurance company must maintain  
2 records of each casual sale made during the previous 36 months, in accordance with Transportation  
3 Code, §501.108, that at a minimum contain:
- 4 (A) the date of sale;
- 5 (B) the sales price;
- 6 (C) the name and address of the purchaser;
- 7 (D) a legible photocopy of a form of current photo identification as specified in  
8 §217.7(b) of this title (Relating to Replacement of Title) [the purchaser's government-issued photo  
9 identification];
- 10 (E) the form of identification provided, the identification document number, and  
11 the name of the jurisdiction that issued the identification document;
- 12 (F) the description of the motor vehicle, including the vehicle identification  
13 number, model year, make, body style, and model;
- 14 (G) a photocopy of the front and back of the properly assigned ownership  
15 document provided to the purchaser; and
- 16 (H) the purchaser's certification, on a form provided by the department, that the  
17 purchase of motor vehicles in a casual sale is not intended to circumvent the provisions of Transportation  
18 Code, Chapter 501 (relating to Certificates of Title) and Occupations Code, Chapter 2302 (relating to  
19 Salvage Vehicle Dealers).

1                   2) Records may be maintained on a form provided by the department or in an electronic  
2 format.

3                   (3) Records must be maintained on the business premises of the seller, and shall be  
4 made available for inspection upon request.

5                   (f) Export-only sales.

6                   (1) In accordance with Transportation Code, §501.099, only a licensed salvage vehicle  
7 dealer, including a salvage pool operator acting as agent for an insurance company, or governmental  
8 entity may sell a non[-]repairable or salvage motor vehicle to a person who resides outside the United  
9 States, and only:

10                               (A) when a non[-]repairable or salvage vehicle title has been issued for the  
11 motor vehicle prior to offering it for export-only sale; and

12                               (B) prior to the sale, the seller obtains a legible photocopy of a government-  
13 issued photo identification of the purchaser that can be verified by law enforcement, issued by the  
14 jurisdiction in which the purchaser resides that may consist of:

15   (i) a passport;

16   (ii) a driver's license;

17   (iii) consular identity document;

18   (iv) national identification certificate or identity document; or

1 (v) other government-issued identification that includes the name of the  
2 jurisdiction issuing the document, the purchaser's full name, foreign address, date of birth, photograph,  
3 and signature.

4 (2) The seller must obtain the purchaser's certification, on a form prescribed by the  
5 department, that the purchaser will remove the motor vehicle from the United States and will not return  
6 the motor vehicle to any state of the United States as a motor vehicle titled or registered under its  
7 manufacturer's vehicle identification number.

8 (3) The seller must provide the buyer with a properly assigned non[-]repairable or  
9 salvage vehicle title.

10 (4) The seller must stamp FOR EXPORT ONLY and the seller's salvage vehicle dealer  
11 license number or the governmental entity's name, whichever applies, on the face of the title and on any  
12 unused reassignments on the back of the title.

13 (g) Records of export-only sales.

14 (1) A salvage vehicle dealer or governmental entity that sells a non[-]repairable or  
15 salvage motor vehicle for export-only must maintain records of all export-only sales until the third  
16 anniversary of the date of the sale.

17 (2) Records of each sale must include:

18 (A) a legible copy of the stamped and properly assigned non[-]repairable or  
19 salvage vehicle title;

20 (B) the buyer's certified statement required by subsection (f)(2) of this section;



1 (C) a legible photocopy [~~copy~~] of a form of photo identification as specified in  
2 subsection (f)(1)(B) of this section[~~the buyer's photo identification document~~];

3 (D) a legible copy of any other documents related to the sale of the motor  
4 vehicle; and

5 (E) a listing of each motor vehicle sold for export-only that states the:

6 (i) date of sale;

7 ~~[(ii) name and address of the seller;]~~

8 (ii)~~[(iii)]~~ name [~~and address~~] of the purchaser;

9 (iii)~~[(iv)]~~ purchaser's identification document number;

10 (iv)~~[(v)]~~ name of the country that issued the identification document;

11 (v)~~[(vi)]~~ the form of identification provided by the purchaser; and

12 (vi)~~[(vii) description of the motor vehicle that includes the year, make,~~  
13 ~~model, and]~~ vehicle identification number of the motor vehicle.

14 (3) The listing required by paragraph (2)(E) of this subsection must be maintained either  
15 on a form provided by the department or in an electronic format approved by the department.

16 (4) The salvage vehicle dealer or governmental entity shall submit the listing prescribed  
17 by paragraph (2)(E) of this subsection to the department within 30 days from the date of sale.

1                   (5) Upon receipt of the listing prescribed by paragraph (2)(E) of this subsection, the  
2 department will place an appropriate notation on the motor vehicle record to identify it as a motor  
3 vehicle sold for export-only that may not be operated, retitled, or registered in this state.

4

5 §217.89. Rebuilt Salvage Motor Vehicles.

6                   (a) Filing for title. When a salvage motor vehicle or a non[-]repairable motor vehicle for which a  
7 non[-]repairable vehicle title was issued prior to September 1, 2003, has been rebuilt, the owner shall  
8 file a ~~[certificate of]~~ title application, as described in §217.4 of this title (relating to Initial Application for  
9 Title), for a rebuilt salvage ~~[certificate of]~~ title.

10                   (b) Place of application. An application for a rebuilt salvage ~~[certificate of]~~ title shall be filed with  
11 the county tax assessor-collector in the county in which the applicant resides, in the county in which the  
12 motor vehicle was purchased or is encumbered, or to any county tax assessor-collector who is willing to  
13 accept the application.

14                   (c) Fee for rebuilt salvage ~~[certificate of]~~ title. In addition to the statutory fee for a title  
15 application and any other applicable fees, a \$65 rebuilt salvage fee must accompany the application.

16                   (d) Accompanying documentation. The application for a ~~[certificate of]~~ title for a rebuilt non[-]  
17 ]repairable or salvage motor vehicle must be supported, at a minimum, by the following documents:

18                               (1) evidence of ownership, properly assigned to the applicant, as described in subsection  
19 (e) of this section;

20                               (2) a rebuilt statement, on a form prescribed by the department that includes:

1 (A) a description of the motor vehicle, which includes the motor vehicle's model  
2 year, make, model, identification number, and body style;

3 (B) an explanation of the repairs or alterations made to the motor vehicle;

4 (C) a description of each major component part used to repair the motor vehicle  
5 and showing the identification number required by federal law to be affixed to or inscribed on the part;

6 (D) the name of the owner and the name and address of the rebuilder;

7 (E) a statement by the owner that the owner is the legal and rightful owner of  
8 the vehicle, the vehicle is rebuilt, repaired, reconstructed, or assembled and that the vehicle  
9 identification number disclosed on the rebuilt affidavit is the same as the vehicle identification number  
10 affixed to the vehicle;

11 (F) the signature of the owner, or the owner's authorized agent; and

12 (G) a statement by the rebuilder that the vehicle has been rebuilt, repaired, or  
13 reconstructed by the rebuilder and that all component parts used were obtained in a legal and lawful  
14 manner, signed by the rebuilder or the rebuilder's authorized agent or employee;

15 ~~[(3) evidence of inspection submitted by the person who repairs, rebuilds, or~~  
16 ~~reconstructs a non-repairable or salvage motor vehicle in the form of disclosure on the rebuilt statement~~  
17 ~~of the vehicle inspection report authorization or certificate number, and the date of inspection, issued by~~  
18 ~~an authorized state safety inspection station after the motor vehicle was rebuilt, if the motor vehicle will~~  
19 ~~be registered at the time of application;]~~

1                   (3)[(4)] an odometer disclosure statement properly executed by the seller of the motor  
2 vehicle and acknowledged by the purchaser, if applicable;

3                   (4)[(5)] proof of financial responsibility in the title applicant's name, as required by  
4 Transportation Code §502.046, unless otherwise exempted by law, if the motor vehicle will be registered  
5 at the time of application;

6                   (5)[(6)] unless otherwise exempted by law, a vehicle identification number inspection  
7 [report required by] under Transportation Code, §501.0321 [~~§548.256 and Transportation Code~~  
8 ~~§501.030~~] if the motor vehicle was last titled or [~~and~~] registered in another [~~state or~~] country, or a  
9 document described under 217.4(d)(4) of this title (relating to Initial Application for Title) if the vehicle  
10 was last titled or registered in another state [~~unless otherwise exempted by law~~]; and

11                   (6)[(7)] a release of any liens, unless there is no transfer of ownership and the same  
12 lienholder is being recorded as is recorded on the surrendered evidence of ownership.

13                   (e) Evidence of ownership of a rebuilt salvage motor vehicle:

14                   (1) may include:

15                                   (A) a Texas Salvage Vehicle Title or Record of Title;

16                                   (B) a Texas Non[-]repairable Certificate of Title issued prior to September 1,  
17 2003;

18                                   (C) a Texas Salvage Certificate; or

1 (D) a comparable salvage certificate or salvage certificate of title issued by  
2 another jurisdiction, except that this ownership document will not be accepted if it indicates that the  
3 motor vehicle may not be rebuilt in the jurisdiction that issued the ownership document; but

4 (2) does ~~may~~ not include:

5 (A) a Texas non[-]repairable vehicle title issued on or after September 1, 2003;

6 (B) an out-of-state ownership document that indicates that the motor vehicle is  
7 non[-]repairable, junked, for parts or dismantling only, or the motor vehicle may not be rebuilt in the  
8 jurisdiction that issued the ownership document; or

9 (C) a certificate of authority to dispose of a motor vehicle issued in accordance  
10 with Transportation Code, Chapter 683.

11 (f) Rebuilt salvage ~~[certificate of]~~ title issuance. Upon receiving a completed ~~[certificate of]~~ title  
12 application for a rebuilt salvage motor vehicle, along with the applicable fees and required  
13 documentation, the transaction will be processed and a rebuilt salvage ~~[certificate of]~~ title will be issued.  
14 The ~~[certificate of]~~ title will include a "Rebuilt Salvage" notation and a description or disclosure of the  
15 motor vehicle's former condition on its face.

16 (g) Issuance of rebuilt salvage ~~[certificate of]~~ title to a motor vehicle from another jurisdiction.  
17 On proper application, as prescribed by §217.4, by the owner of a motor vehicle that is brought into this  
18 state from another jurisdiction and for which a certificate of title issued by the other jurisdiction contains  
19 a "Rebuilt," "Salvage," or analogous title remark, the department will issue the applicant a ~~[certificate of]~~  
20 title or other appropriate document for the motor vehicle. A ~~[certificate of]~~ title or other appropriate  
21 document issued under this subsection will show ~~[on its face]~~:

- 1 (1) the date of issuance;
- 2 (2) the name and address of the owner;
- 3 (3) any registration number assigned to the motor vehicle;
- 4 (4) a description of the motor vehicle as determined by the department; and
- 5 (5) any title remark the department considers necessary or appropriate.

6 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code,  
7 §501.09111, which identifies the rights and limitations of rights to owners of nonrepairable and salvage  
8 motor vehicles.

9 **CROSS REFERENCE TO STATUTE.** The proposed repeal would implement Transportation Code §501.09111.  
10 §217.87. Rights of Holder of Non-repairable or Salvage Motor Vehicle Documents.

11

12 Text.

13 [~~§217.87. Rights of Holder of Non-repairable or Salvage Motor Vehicle Documents.~~]

14 ~~[(a) The owner of a motor vehicle for which a salvage certificate or a non-repairable or salvage~~  
15 ~~certificate of title was issued prior to September 1, 2003, or a salvage vehicle title issued on or after~~  
16 ~~September 1, 2003:]~~

17 ~~[(1) may:]~~

18 ~~[(A) possess, transport, dismantle, scrap, or destroy, the motor vehicle;]~~

1                   ~~[(B) sell, transfer, or release ownership of the motor vehicle or used part from~~  
2 ~~the motor vehicle as provided by §217.88 of this title (relating to Sale, Transfer, or Release of Ownership~~  
3 ~~of a Non-repairable or Salvage Motor Vehicle); or]~~

4                   ~~[(C) repair, rebuild, or reconstruct the motor vehicle; and]~~

5                   ~~[(2) may not operate or permit operation of the motor vehicle on the public highways~~  
6 ~~until a rebuilt salvage certificate of title is issued.]~~

7                   ~~[(b) The owner of a motor vehicle for which a non-repairable vehicle title was issued on or after~~  
8 ~~September 1, 2003;]~~

9                   ~~[(1) may:]~~

10                   ~~[(A) possess, transport, dismantle, scrap, or destroy, the motor vehicle; or]~~

11                   ~~[(B) sell, transfer, or release ownership of the motor vehicle or used part from~~  
12 ~~the motor vehicle as provided by §217.88; and]~~

13                   ~~[(2) may not:]~~

14                   ~~[(A) repair, rebuild, or reconstruct the motor vehicle;]~~

15                   ~~[(B) retitle or register the motor vehicle; and]~~

16                   ~~[(C) operate or permit operation of the motor vehicle on the public highways.]~~

17

18                   **SUBCHAPTER E. TITLE LIENS AND CLAIMS**

19                   **43 TAC §217.106**

20

1 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
2 Code §501.115, which provides the department authority to govern the discharge of a lien on a title, and  
3 Transportation Code, §1002.001, which authorizes the department to adopt rules that are necessary and  
4 appropriate to implement the powers and the duties of the department.

5 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
6 §§501.115, and 1002.001.

7

8 Text.

9 §217.106. Discharge of Lien.

10 A lienholder shall provide the owner, or the owner's designee, a discharge of the lien after  
11 receipt of the final payment within the time limits specified in Transportation Code, §501.115 [Chapter  
12 ~~501~~]. The lienholder shall submit one of the following documents:

13 (1) the title including an authorized signature in the space reserved for release of lien;

14 (2) a release of lien form prescribed by the department, with the form filled out to  
15 include the:

16 (A) title or document number, or a description of the motor vehicle including,  
17 but not limited to, the motor vehicle:

18 (i) year;

19 (ii) make;

20 (iii) vehicle identification number; and



1 (iv) license plate number, if the motor vehicle is subject to registration  
2 under Transportation Code, Chapter 502;

3 (B) printed name of lienholder;

4 (C) signature of lienholder or an authorized agent;

5 (D) printed name of the authorized agent if the agent's signature is shown;

6 (E) telephone number of lienholder; and

7 (F) date signed by the lienholder;

8 (3) signed and dated correspondence submitted on company letterhead that includes:

9 (A) a statement that the lien has been paid;

10 (B) a description of the vehicle as indicated in paragraph (2)(A) of this  
11 subsection;

12 (C) a title or document number; or

13 (D) lien information;

14 (4) any out-of-state prescribed release of lien form, including an executed release on a  
15 lien entry form;

16 (5) out-of-state evidence with the word "Paid" or "Lien Satisfied" stamped or written in  
17 longhand on the face, followed by the name of the lienholder, countersigned or initialed by an agent,  
18 and dated; or

1 (6) original security agreements or copies of the original security agreements if the  
2 originals or copies are stamped "Paid" or "Lien Satisfied" with a company paid stamp or if they contain a  
3 statement in longhand that the lien has been paid followed by the company's name.

4

5

**SUBCHAPTER F. MOTOR VEHICLE RECORDS**

6

**43 TAC §§217.122-125, 217.129, AND 217.131**

7

8 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
9 Code §730.014, which give the department authority to adopt rules to administer Transportation Code  
10 Chapter 730, Motor Vehicle Records Disclosure Act; and Transportation Code §1002.001, which  
11 authorizes the board to adopt rules that are necessary and appropriate to implement the powers and  
12 duties of the department, as well as the statutes referenced throughout this preamble.

13 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
14 §§730.014, and 1002.

15

16 Text.

17 §217.122. Definitions.

18 (a) Words and terms defined in Transportation Code, Chapter 730 have the same meaning  
19 when used in this subchapter, unless the context clearly indicates otherwise.

20 (b) The following words and terms, when used in this subchapter, shall have the following  
21 meanings, unless the context clearly indicates otherwise.

22 (1) Department--Texas Department of Motor Vehicles.

1                   (2) Requestor--A person as defined by Transportation Code, §730.003(5), this state, or  
2 an agency of this state seeking personal information contained in motor vehicle records directly from the  
3 department.

4                   (3) Service agreement--A contractual agreement with the department that allows a  
5 requestor electronic motor vehicle records.

6                   (4) Written request--A request submitted in writing, including by mail, electronic mail,  
7 electronic media, and facsimile transmission.

8                   (5) Signature--Includes an electronic signature, as defined by Transportation Code  
9 §501.172, to the extent the department accepts such electronic signature.

10                  (6) Batch Inquiry--Access, under a service agreement, to department motor vehicle  
11 records associated with Texas license plate numbers or vehicle identification numbers, where  
12 requests are submitted electronically to the department in a prescribed batch format. The department  
13 makes a disclosure for each record in a batch.

14                  (7) MVI-net Access--Electronic access, under a service agreement, to the  
15 department's motor vehicle registration and title database, with the ability to query records by a  
16 Texas license plate number, vehicle identification number, placard number, or current or previous  
17 document number. The department makes a disclosure each time a query of the system is made.

18                  (8) Bulk--A disclosure by the department under Transportation Code §730.007 of at  
19 least 250 motor vehicle records containing personal information, including any of the files defined  
20 by subsection (b)(10) - (13) of this section.

21                  (9) Bulk contract--A contractual agreement with the department for the disclosure of  
22 motor vehicle records in bulk to the requestor.

1                   (10) Master File--A bulk file containing all the department's active and inactive  
2 registration and title records.

3                   (11) Weekly Updates--A bulk file containing the department's new and renewed  
4 vehicle registration and title records from the previous week.

5                   (12) Specialty Plates File--A bulk file containing Texas specialty license plate records.

6                   (13) eTAG File--A bulk file containing records related to new or updated eTAGs,  
7 vehicle transfer notifications, and plate-to-owner records.

8                   (14) Dealer/Supplemental File--A pair of files, one containing records of registration  
9 and title transactions processed by dealers with the department during the previous week and  
10 another containing the dealers' information, that are only available as a supplement to a bulk  
11 contract that includes the Weekly Updates.

12

13 §217.123. Access to Motor Vehicle Records.

14                   (a) Except as required under subsection (f) of this section, a requestor seeking personal  
15 information from department motor vehicle records shall submit a written request in a form  
16 required by the department. A completed and properly executed form must include:

17                               (1) the name and address of the requestor;

18                               (2) a description of the requested motor vehicle records, including the Texas license  
19 plate number, title or document number, or vehicle identification number of the motor vehicle  
20 about which information is requested;

21                               (3) proof of the requestor's identity, in accordance with subsections (b) or (c) of  
22 this section;

23                               (4) a statement that the requestor:

1 (A) is the subject of the record;

2 (B) has the written consent of the person who is the subject of the record;

3 or

4 (C) will strictly limit the use of the personal information in department  
5 motor vehicle records to a permitted use under Transportation Code Chapter 730, as indicated on  
6 the form;

7 (5) a certification that the statements made on the form are true and correct; and

8 (6) the signature of the requestor.

9 (b) Except as required by subsection (c) of this section, a requestor must provide the  
10 requestor's current photo identification containing a unique identification number. The  
11 identification must be a:

12 (1) driver's license, Texas Department of Public Safety identification, or state  
13 identification certificate issued by a state or territory of the United States;

14 (2) United States or foreign passport;

15 (3) United States military identification card;

16 (4) United States Department of Homeland Security, United States Citizenship and  
17 Immigration Services, or United States Department of State identification document;

18 (5) ~~concealed handgun license or~~ license to carry a handgun issued by the Texas  
19 Department of Public Safety under Government Code Chapter 411, Subchapter H; or

20 (6) North Atlantic Treaty Organization identification or identification issued under a  
21 Status of Forces Agreement.

22 (c) A requestor seeking personal information from department motor vehicle records for  
23 use by a law enforcement agency must:

- 1                   (1) present the requestor's current law enforcement credentials;
- 2                   (2) electronically submit the request in a manner that the department can verify
- 3 that the requestor is acting on behalf of a law enforcement agency; or
- 4                   (3) provide a written statement from a higher level in the chain of command on the
- 5 law enforcement agency's letterhead stating that the requestor is not authorized to provide
- 6 current law enforcement credentials and identifying the intended use or the [law enforcement]
- 7 agency's incident or case number for which the personal information is needed.

8                   (d) A requestor seeking personal information from department motor vehicle records for

9 use by a law enforcement agency may submit a verbal request to the department if the law

10 enforcement agency has provided reasonable assurances that were accepted by the department as

11 to the identity of the requestor within the last 12 months on a form required by the department. If

12 a request is submitted verbally, the department may require the requestor to confirm the request

13 in writing.

14                   (e) A requestor may receive electronic access to department motor vehicle records under

15 the terms and conditions of a service agreement.

16                   (1) Before a requestor can enter into a service agreement, the requestor must file a

17 completed application on a form required by the department, for review and approval by the

18 department. An application for a service agreement must include:

19                               (A) a statement that the requestor will strictly limit the use of the personal

20 information from department motor vehicle records to a permitted use under Transportation Code

21 Chapter 730, as indicated on the application;

22                               (B) the name and address of the requestor;

1 (C) proof of the requestor's identity, in accordance with subsections (b) or  
2 (c) of this section;

3 (D) copies of agreements used by the requestor to release motor vehicle  
4 record information to third parties;

5 (E) any additional material provided to third-party requestors detailing the  
6 process through which they obtain motor vehicle record information and describing their  
7 limitations as to how this information may be used;

8 (F)[(D)] the signature of the requestor or, if the requestor is an organization  
9 or entity, the signature of an officer or director of the requestor; and

10 (G)[(E)] a certification that the statements made in the application are true  
11 and correct.

12 (2) If the department determines any of the information provided in the application is  
13 incomplete, inaccurate, or does not meet statutory requirements the department will not enter into a  
14 service agreement to release motor vehicle record information.

15 (3)[(2)] Unless the requestor is exempt from the payment of fees, a service  
16 agreement must contain an adjustable account, in which an initial deposit and minimum balance is  
17 maintained in accordance with §217.124 of this title (relating to Cost of Motor Vehicle Records).  
18 Notwithstanding §217.124 of this title, the department may modify initial deposit and minimum  
19 balance requirements depending on usage.

20 (f) Access to bulk motor vehicle records. A requestor seeking access to department motor  
21 vehicle records in bulk must enter into a bulk contract with the department.

1 (1) Before a requestor can enter into a bulk contract, the requestor must file a  
2 completed application on a form required by the department, for review and approval by the  
3 department. An application for a bulk contract must include:

4 (A) a statement that the requestor will strictly limit the use of the personal  
5 information to a permitted use under Transportation Code Chapter 730, as indicated on the  
6 application;

7 (B) the name and address of the requestor;

8 (C) proof of the requestor's identity, in accordance with §217.123(b) or (c)  
9 of this title (relating to Access to Motor Vehicle Records);

10 (D) copies of agreements used by the requestor to release motor vehicle  
11 record information to third parties;

12 (E) any additional material provided to third party requestors detailing the  
13 process in which they obtain motor vehicle record information and describing their limitations as  
14 to how this information may be used;

15 (F)[(D)] a certification that the statements made on the form are true and  
16 correct; and

17 (G)[(E)] the signature of the requestor or, if the requestor is an organization  
18 or entity, the signature of an officer or director of the requestor.

19 (2) If the department determines any of the information provided is incomplete,  
20 inaccurate, or does not meet statutory requirements the department will not enter into a bulk contract  
21 to release motor vehicle record information.

22 (3)[(2)] Prior to the execution of a bulk contract, a requestor must provide proof  
23 the requestor has:



1 (A) posted a \$1 million performance bond, payable to this state,  
2 conditioned upon the performance of all the requirements of Transportation Code Chapter 730  
3 and this subchapter; and

4 (B) insurance coverage in the amount of at least \$3 million and that meets  
5 the requirements of Transportation Code §730.014(c)(3).

6 (g) If a person is convicted of an offense under Transportation Code Chapter 730 or is  
7 found by a court to have violated a rule under this subchapter, then any contract with that person  
8 to access department motor vehicle records is terminated as of the date of the court's final  
9 determination.

10 (h) The requirements of this section do not apply to discovery, subpoena, or other means  
11 of legal compulsion for the disclosure of personal information.

12 (i) An authorized recipient will receive requested motor vehicle records in accordance with  
13 Title 18 U.S.C. §2721 et seq.; Transportation Code Chapter 730; Government Code §552.130; and  
14 this subchapter.

15

16 §217.124. Cost of Motor Vehicle Records.

17 (a) Standard costs. The department will charge fees in accordance with Government Code  
18 Chapter 552 and the cost rules promulgated by the Office of the Attorney General in 1 Texas  
19 Administrative Code Chapter 70 (relating to Cost of Copies of Public Information).

20 (b) Law enforcement. An employee of a state, federal, or local law enforcement agency is  
21 exempt from the payment of fees for motor vehicle records in subsection (c)(1) - (4) of this section  
22 if the records are necessary to carry out lawful functions of the law enforcement agency.

23 (c) Motor vehicle record costs:

- 1 (1) Title history - \$5.75;  
2 (2) Certified title history - \$6.75;  
3 (3) Title and registration verification (record search) - \$2.30; and  
4 (4) Certified title and registration verification (record search) - \$3.30.

5 (d) Electronic motor vehicle records and files:

- 6 (1) Master File - \$5,000 plus \$.38 per 1,000 records;  
7 (2) Weekly Updates - deposit of \$1,755 and \$135 per week;  
8 (3) eTAG File - deposit of \$845 and \$65 per week;  
9 (4) Dealer/Supplemental File - deposit of \$1,235 and \$95 per week;  
10 (5) Specialty Plates File - deposit of \$1,235 and \$95 per week;  
11 (6) Batch Inquiry - deposit of \$1,000, minimum balance of \$750 and \$23 per run  
12 plus \$.12 per record;  
13 (7) MVInet Access - deposit of \$200, minimum balance of \$150 and \$23 per month  
14 plus \$.12 per record; and  
15 (8) Scofflaw remarks (inquiry, addition, or deletion) - deposit of \$500, minimum  
16 balance of \$350 and \$23 per run plus \$.12 per record.

17 (e) Texas governmental entities, as defined in Government Code §2252.001, the Texas Law  
18 Enforcement Telecommunication System, ~~and~~ toll project entities, as defined by Transportation  
19 Code §372.001, and federal governmental entities are exempt from the payment of fees, except  
20 for the fees listed in subsection (d)(1), (6), or (8) of this section.

21 (f) Reciprocity agreements. The department may enter into a reciprocity agreement[s] for records  
22 access with another~~other~~ governmental entity~~entities~~ that may waive some or all of the fees  
23 established in this section.

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§217.125. Additional Documentation Related to Certain Permitted Uses.

(a) The department may require a requestor to provide reasonable assurance as to the identity of the requestor and that the use of motor vehicle records is only as authorized under Transportation Code §730.012(a). Where applicable, each requestor submitting a request for motor vehicle records shall provide documentation satisfactory to the department that they are authorized to request the information on behalf of the organization, entity, or government agency authorized to receive the information.

(b) Requestors seeking personal information from motor vehicle records from the department for a permitted use listed in this subsection must submit additional documentation.

(1) A request under Transportation Code §730.007(a)(2)(C) must include the personal information the business is attempting to verify against the department's motor vehicle records and documentation sufficient to prove the requestor is a business actively licensed by, registered with, or subject to regulatory oversight by a government agency.

(2) A request under Transportation Code §730.007(a)(2)(D) must include proof of a legal proceeding, or if no proceeding has been initiated, proof the requestor is in anticipation of litigation relating to the request which would necessitate release of the document(s) requested.

(3) A request under Transportation Code §730.007(a)(2)(E) must include documentation sufficient to prove the requestor is employed ~~[in a researching occupation.]~~ by an entity in the business of conducting research related to the requested information and demonstrating the employment relationship. The department has discretion in determining whether the entity is in the business of conducting research related to the requested information

1 and in determining whether the documentation provided is sufficient to demonstrate an  
2 employment relationship.

3 (4) A request under Transportation Code §730.007(a)(2)(F) must include an active  
4 license number provided by the Texas Department of Insurance or an active out-of-state license  
5 number provided by the relevant regulatory authority, an active license number the insurance  
6 support organization is working under, or proof of self-insurance.

7 (5) A request under Transportation Code §730.007(a)(2)(G) must include an active  
8 license number provided by the Texas Department of Licensing and Regulation or an active out-of-  
9 state license number provided by the relevant regulatory authority.

10 (6) A request under Transportation Code §730.007(a)(2)(H) must include an active  
11 license number provided by the Texas Department of Public Safety or an active out-of-state license  
12 number provided by the relevant regulatory authority.

13 (7) A request under Transportation Code §730.007(a)(2)(I) must include a copy of  
14 an active commercial driver's license.

15 (8) A request under Transportation Code §730.007(a)(2)(J) must include  
16 documentation to relate the requested personal information with the operation of a toll  
17 transportation facility or another type of transportation project as described by Transportation  
18 Code §370.003.

19 (9) A request under Transportation Code §730.007(a)(2)(K) must include  
20 documentation on official letterhead indicating a permitted use for personal information, as  
21 defined by the Fair Credit Reporting Act (15 U.S.C. §1681 et. Seq.).

1           (10) A request under Transportation Code §730.007(a)(2)(L) must include an active  
2 license number of a manufacturer, dealership, or distributor issued by the department or an active  
3 out-of-state license number provided by the relevant regulatory authority.

4           (11) A request under Transportation Code §730.007(a)(2)(M) must include an active  
5 license or registration number of a salvage vehicle dealer, an independent motor vehicle dealer, or  
6 a wholesale motor vehicle dealer issued by the department; or an active license issued by the  
7 Texas Department of Licensing and Regulation to a used automotive parts recycler; or other proof  
8 that the requestor is subject to regulatory oversight by an entity listed in Transportation Code  
9 §730.007(a)(2)(M)(iv).

10           (c) The department may require a requestor to provide additional information to clarify the  
11 requestor's use of the personal information under Transportation Code Chapter 730, if the  
12 reasonable assurances provided with the request are not satisfactory to the department.

13

14 §217.129. Ineligibility to Receive Personal Information Contained in Motor Vehicle Records.

15           (a) The department may deny a request for or cease disclosing personal information  
16 contained in the department's motor vehicle records if it determines withholding the information  
17 benefits the public's interest more than releasing the information subject to Transportation Code,  
18 §730.005 and §730.006.

19           (b) If the department determines an authorized recipient has violated a term or condition  
20 of a contract with the department to access motor vehicle records and the department terminates  
21 the contract, that authorized recipient cannot enter into a subsequent contract with the  
22 department to access motor vehicle records unless approved to do so under §217.130 of this title

1 (relating to Approval for Persons Whose Access to Motor Vehicle Records Has Previously Been  
2 Terminated).

3 (c) Termination of a contract with the department to access motor vehicle records caused  
4 by any member of an organization or entity shall be effective on the whole organization or entity.  
5 Subsequent organizations or entities formed by any member, officer, partner, or affiliate of an  
6 organization or entity whose contract with the department to access motor vehicle records has  
7 previously been terminated cannot enter into a subsequent contract with the department to  
8 access motor vehicle records, unless approved to do so under §217.130 of this title (relating to  
9 Approval for Persons Whose Access to Motor Vehicle Records Has Previously Been Terminated).

10

11 217.131. Notices Regarding Unauthorized Recipient.

12 [~~(a) For the purposes of this section, a requestor includes a person, the state, or an agency~~  
13 ~~of this state that previously received personal information from department motor vehicle~~  
14 ~~records.]~~

15 (a)~~[(b)]~~ A requestor who has previously received personal information from the  
16 department and is not an authorized recipient must, not later than 90 days after the date the  
17 requestor becomes aware that the requestor is not an authorized recipient, delete from the  
18 requestor's records any personal information received from the department that the requestor is  
19 not permitted to receive and use under Transportation Code Chapter 730.

20 (b) ~~[(c)]~~ A requestor who becomes aware that the requestor is not an authorized recipient must  
21 promptly notify the department that the requestor is not an authorized recipient and provide the date  
22 they became aware.

1           (c) ~~((d))~~ If the department becomes aware that the requestor is not an authorized recipient  
2 before receiving notice from the requestor, the department will send a written notice to the  
3 requestor stating that the requestor is not an authorized recipient. If the requestor was not  
4 already aware that it is not an authorized recipient, within 90 days from the date the department  
5 sends its notice under this subsection, the requestor must delete any personal information  
6 received from the department that the requestor is not permitted to receive and use under  
7 Transportation Code Chapter 730.

8           (d) ~~((e))~~ A requestor who becomes aware that the requestor is not an authorized recipient  
9 must notify the department when all the department's personal information has been deleted.

10

11

#### **SUBCHAPTER G. INSPECTIONS**

12

#### **43 TAC §217.143 AND §217.144**

13

14 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
15 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code,  
16 Chapter 501, Certificate of Title Act; Transportation Code, §501.030, which authorizes the department to  
17 adopt rules governing identification number inspections for motor vehicles brought into the state;  
18 Transportation Code, §501.0321, which authorizes the department to adopt rules establishing the training  
19 requirements for personnel conducting identification number inspections; Transportation Code,  
20 §501.0322, which provides the department with authority to adopt rules to establish an alternative  
21 identification number inspection; and Transportation Code, §1002.001, which authorizes the board to  
22 adopt rules that are necessary and appropriate to implement the powers and the duties of the  
23 department, as well as the statutes referenced throughout this preamble.

06/27/2024

Exhibit A

1 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
2 §§501.0041, 501.030, 501.0321, 501.0322, and 1002.001.

3

4 Text.

5 §217.143. Inspection Requirements.

6 (a) On initial titling of an assembled vehicle under Transportation Code Chapter 731, and  
7 Subchapter L of this title (relating to Assembled Vehicles), with the exception of an assembled  
8 motorcycle, assembled trailer, and glider kit, an applicant must provide proof, on a form  
9 prescribed by the department, of a safety inspection performed by a master technician.

10 (b) In addition to the requirement under subsection (a) of this section, an owner applying  
11 for initial registration of a custom vehicle or street rod must provide proof, on a form prescribed  
12 by the department, of a safety inspection performed by a master technician under this section as  
13 required under Transportation Code §504.501(e).

14 (c) The inspection must meet the minimum requirements under Transportation Code,  
15 §731.102 to evaluate the structural integrity and proper function of the equipment.

16 (d) The inspector must certify that:

17 (1) the vehicle and equipment are structurally stable;

18 (2) the vehicle and equipment meet the necessary conditions to be operated safely  
19 on the roadway;

20 (3) equipment used in the construction of the vehicle, for which a federal motor  
21 vehicle safety standard exists, complies with the applicable standard; and



1                   (4) if the vehicle is a custom vehicle or street rod, the vehicle is equipped and  
2 operational with all equipment required by statute as a condition of sale during the year the  
3 vehicle was manufactured or resembles.

4                   (e) The inspection of an assembled vehicle required under subsection (a) of this section is  
5 in addition to all other required inspections including an inspection required under Transportation  
6 Code Chapter 548.

7                   (f) The applicant must pay all fees to the master technician for the inspection of an  
8 assembled vehicle required under subsection (a) of this section, including any reinspection.

9                   (g) In addition to the fees in subsection (f) of this section, the applicant must pay all  
10 applicable fees for other required inspections as required by law, including any applicable ~~[a]~~  
11 inspection or reinspection required under Transportation Code Chapter 548.

12  
13 §217.144. Identification Number Inspection.

14                   (a) In addition to any other requirement specified by Transportation Code, §501.0321, a  
15 person is qualified to perform an inspection under Transportation Code, §501.0321, if that person  
16 has completed one of the following training programs:

17                               (1) Intermediate or Advanced Motor Vehicle Crime Investigator Training provided  
18 by the Motor Vehicle Crime Prevention Authority;

19                               (2) Auto Theft School (Parts 1 and 2) provided by the Texas Department of Public  
20 Safety; or

21                               (3) Auto Theft Course provided by the National Insurance Crime Bureau.

22                   (b) If a person qualified to perform an inspection under Transportation Code, §501.0321, is  
23 unable to determine a manufactured motor vehicle’s original year of manufacture or original make

1 designation, the department will not issue title and registration to the motor vehicle. A person  
2 inspecting a motor vehicle under §501.0321 who is able to identify the motor vehicle as a  
3 manufactured motor vehicle, but is unable to identify the manufactured motor vehicle’s original  
4 year of manufacture or original make designation, or both, may not identify the vehicle as an  
5 assembled, homemade, or shop-made vehicle.

6

7

#### SUBCHAPTER H. DEPUTIES

8

#### 43 TAC §§217.161, 217.166 AND 217.168

9

10 **STATUTORY AUTHORITY:** The department proposes amendments to Chapter 217 under Transportation  
11 Code §502.095, as amended by HB 718, which gives the department authority to issue one-trip and 30-  
12 day license plates; Transportation Code §502.1911, which authorizes the department to adopt rules to set  
13 registration processing and handling fees; Transportation Code §520.003, which authorizes the  
14 department to adopt rules to administer Transportation Code, Chapter 520, Miscellaneous Provisions;  
15 Transportation Code, §520.004, which authorizes the department to adopt rules to establish standards for  
16 uniformity and service quality for counties conducting registration and titling services; and Transportation  
17 Code, §1002.001, which authorizes the department to adopt rules that are necessary and appropriate to  
18 implement the powers and the duties of the department.

19 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
20 §§502.095, §502.1911, 520.003. 520.004 and 1002.001.

21

22 Text.

06/27/2024

Exhibit A

1 §217.161. Purpose and Scope.

2 Pursuant to Transportation Code, §520.0071, a county tax assessor-collector, with the  
3 approval of the commissioners court of the county, may appoint deputies to perform designated  
4 motor vehicle titling and registration services. This subchapter prescribes the classification types,  
5 duties, and obligations of deputies; the type and amount of any bonds that deputies may be  
6 required to post; and the fees that deputies may be authorized to charge or retain. ~~[A deputy~~  
7 ~~appointed under Transportation Code, §520.0071, on or before December 31, 2016, may continue~~  
8 ~~to perform services authorized under former Transportation Code, §§520.008, 520.009, 520.0091,~~  
9 ~~and 520.0092, as amended by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357). Beginning January 1,~~  
10 ~~2017,] All [a]~~ deputies must be deputized in accordance with and comply with the provisions of  
11 this subchapter.

12  
13 §217.166. Dealer Deputies.

14 (a) A county tax assessor-collector, with the approval of the commissioner’s court of the  
15 county, may deputize a motor vehicle dealer to act as a dealer deputy to provide motor vehicle  
16 titling and registration services in the same manner and with the same authority as though done in  
17 the office of the county tax assessor-collector, except as limited by this section.

18 (b) A dealer deputy must hold a valid general distinguishing number (GDN) under  
19 Transportation Code, Chapter 503, Subchapter B, and may act as a dealer deputy only for a type of  
20 motor vehicle for which the dealer holds a GDN. A dealer may not continue to act as a dealer  
21 deputy if the GDN is cancelled or suspended.

22 (c) A county tax assessor-collector may impose reasonable obligations or requirements  
23 upon a dealer deputy in addition to those set forth in this section. The county tax assessor-

1 collector may, at the time of deputation or upon renewal of deputation, impose specified  
2 restrictions or limitations on a dealer deputy's authority to provide certain titling or registration  
3 services.

4 (d) Upon the transfer of ownership of motor vehicles purchased, sold or exchanged by the  
5 dealer deputy, the dealer deputy may process titling transactions in the same manner and with the  
6 same authority as though done in the office of the county tax assessor-collector. The dealer deputy  
7 may not otherwise provide titling services to the general public.

8 (e) Upon the transfer of ownership of a motor vehicle purchased, sold or exchanged by the  
9 dealer deputy, the dealer deputy may process initial registration transactions in the same manner  
10 and with the same authority as though done in the office of the county tax assessor-collector. The  
11 dealer deputy may not otherwise offer initial registration services to the general public.

12 (f) The county tax assessor-collector may authorize a dealer deputy to provide motor  
13 vehicle registration renewal services. A dealer deputy offering registration renewal services must  
14 offer such services to the general public, and must accept and process any proper application for  
15 registration renewal that the county tax assessor-collector would accept and process.

16 (g) To be eligible to serve as a dealer deputy, a person must be trained to perform motor  
17 vehicle titling and registration services, as approved by the county tax assessor-collector, or  
18 otherwise be deemed competent by the county tax assessor-collector to perform such services.

19 (h) To be eligible to serve as a dealer deputy, a person must post a bond payable to the  
20 county tax assessor-collector consistent with §217.167 of this title (relating to Bonding  
21 Requirements) with the bond conditioned on the person's proper accounting and remittance of the  
22 fees the person collects. The county tax assessor-collector may set a maximum number of

1 webDEALER transactions for a dealer deputy, and the maximum number must be based on the  
2 bond amount.

3 (i) A person applying to be a dealer deputy must complete the application process as  
4 specified by the county tax assessor-collector. The application process may include satisfaction of  
5 any bonding requirements and completion of any additional required documentation or training of  
6 the deputy before the processing of any title or registration transactions may occur.

7 (j) If a dealer deputy offers registration renewal services to the general public, the deputy  
8 must provide the physical address at which services will be offered, the mailing address, the phone  
9 number, and the hours of service. This information may be published on the department's website  
10 and may be published by the county if the county publishes a list of deputy locations.

11 (k) A dealer deputy shall keep a separate accounting of the fees collected and remitted to  
12 the county, and a record of daily receipts.

13 (l) A dealer deputy may charge or retain fees consistent with the provisions of §217.168 of  
14 this title (relating to Deputy Fee Amounts).

15 (m) This section does not prevent a county tax assessor-collector from deputizing a dealer  
16 as a full service deputy under §217.163 of this title (relating to Full Service Deputies) or a limited  
17 service deputy under §217.164 of this title (relating to Limited Service Deputies) instead of a  
18 dealer deputy under this section.

19  
20 §217.168. Deputy Fee Amounts.

21 (a) Fees. A county tax assessor-collector may authorize a deputy to charge or retain the fee  
22 amounts prescribed by this section according to the type of deputy and transaction type.

23 (b) Title transactions. For each motor vehicle title transaction processed:

1 (1) A full service deputy may charge the customer a fee of up to \$20, as determined  
2 by the full service deputy and approved by the county tax assessor-collector.

3 (A) The full service deputy retains the entire fee charged to the customer.

4 (B) If a full service deputy is authorized by a county tax assessor-collector to  
5 review and approve title transactions submitted through webDEALER, the full service deputy is  
6 required to designate the fee of up to \$20 within the department’s Registration and Title System  
7 that will be assessed on webDEALER title transactions.

8 (2) A dealer deputy may charge the customer a fee of up to \$10, as determined by  
9 the dealer deputy and approved by the tax assessor-collector. The dealer deputy retains the entire  
10 fee charged to the customer. This section does not preclude a dealer deputy from charging a  
11 documentary fee authorized by Finance Code, §348.006.

12 (c) Registration and registration renewals. For each registration transaction processed:

13 (1) A full service deputy may:

14 (A) retain \$1 from the processing and handling fee established by §217.183  
15 of this title (relating to Fee Amount); and

16 (B) charge a convenience fee of \$9, except as limited by §217.184 of this  
17 title (relating to Exclusions).

18 (2) A limited service deputy may retain \$1 from the processing and handling fee  
19 established by §217.183.

20 (d) Special registration [~~Temporary~~] permit and special registration license plate  
21 transactions under Transportation Code, §502.094 or §502.095. For each special registration  
22 [~~temporary~~] permit or special registration license plate transaction processed by a full service  
23 deputy, the full service deputy may retain the portion of the [~~entire~~] processing and handling fee

1 authorized by §217.185(b) of this title (relating to Allocation of Processing and Handling Fees).

2 [~~established by §217.183.~~]

3 (e) Full service deputy convenience fee. The convenience fee authorized by this section is  
4 collected by the full service deputy directly from the customer and is in addition to the processing  
5 and handling fee established by §217.183. A full service deputy may not charge any additional fee  
6 for a registration or registration renewal transaction.

7 (f) Related transactions by a full service deputy. The limitations of subsections (b), (c), (d),  
8 and (e) of this section do not apply to other services that a full service deputy may perform that  
9 are related to titles or registrations, but are not transactions that must be performed through the  
10 department's automated vehicle registration and title system. Services that are not transactions  
11 performed through the department's automated vehicle registration and title system include, but  
12 are not limited to, the additional fees a full service deputy may charge for copying, faxing, or  
13 transporting documents required to obtain or correct a motor vehicle title or registration.  
14 However, the additional fees that a full service deputy may charge for these other services may be  
15 limited by the terms of the county tax assessor-collector's authorization to act as deputy.

16 (g) Posting of fees. At each location where a full service deputy provides titling or  
17 registration services, the deputy must prominently post a list stating all fees charged for each  
18 service related to titling or registration. The fee list must specifically state each service, including  
19 the additional fee charged for that service, that is subject to subsections (b), (c), (d), or (e) of this  
20 section. The fee list must also state that each service subject to an additional fee under subsection  
21 (b), (c), (d), or (e) of this section may be obtained from the county tax assessor-collector without  
22 the additional fee. If the full service deputy maintains a website advertising or offering titling or  
23 registration services, the deputy must post the fee list described by this subsection on the website.

1 (h) Additional compensation. The fee amounts set forth in this section do not preclude or  
2 limit the ability of a county to provide additional compensation to a deputy out of county funds.

3  
4 **SUBCHAPTER I. PROCESSING AND HANDLING FEES**

5 **43 TAC §§217.181 - 217.185**

6  
7 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
8 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
9 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
10 Vehicles; Transportation Code §502.040, which authorizes the department to prescribe the process and  
11 procedures for applying for a motor vehicle registration; Transportation Code §502.059, which  
12 authorizes the department to adopt rules providing for an automated registration process;  
13 Transportation Code §502.1911 which authorizes the board to adopt rules to set registration processing  
14 and handling fees; Transportation Code §520.003, which authorizes the department to adopt rules to  
15 administer Transportation Code Chapter 520, Miscellaneous Provisions; Transportation Code §520.004,  
16 which authorizes the department to adopt rules to establish standards for uniformity and service quality  
17 for counties conducting registration and titling services; Transportation Code §520.0055, as created by  
18 HB 718, gives the department authority to mandate motor vehicle dealers use a department designated  
19 electronic system to submit title and registration applications to the county tax assessor-collectors for  
20 motor vehicle transactions; and Transportation Code §1002.001, which authorizes the board to adopt  
21 rules that are necessary and appropriate to implement the powers of the department, as well as the  
22 statutes throughout this preamble.



1 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
2 §§502.0021, 502.040, 502.059, 502.1911, 520.003, 520.004, 520.055, and 1002.001.

3

4 Text.

5 §217.181. Purpose and Scope.

6 This subchapter prescribes the processing and handling fees [~~fee~~] authorized by Transportation  
7 Code, §502.1911, which include [~~includes~~] the fee established under Transportation Code,  
8 §502.356(a), and are [~~is~~] sufficient to cover the expenses associated with collecting registration  
9 fees by the department, a county tax assessor-collector, a private entity with which a county tax  
10 assessor-collector contracts under Transportation Code, §502.197, or a deputy assessor-collector  
11 that is deputized in accordance with Subchapter H of this chapter (relating to Deputies).

12

13 §217.182. Registration Transaction.

14 As used in this subchapter, a "registration transaction" is a registration or registration  
15 renewal under Transportation Code, Chapter 502, or a transaction to issue the following:

16 (1) a registration, registration renewal, special registration license plate, or special  
17 registration permit issued under Transportation Code, Chapter 502, Subchapter C (Special  
18 Registrations);

19 (2) a license plate issued under Transportation Code, §502.146;

20 (3) a temporary additional weight permit under Transportation Code, §502.434;

21 (4) a license plate or license plate sticker under Transportation Code, §§504.501,  
22 504.502, 504.506, or 504.507;

23 (5) a golf cart license plate under Transportation Code, §551.402; or

1 (6) a package delivery vehicle license plate under Transportation Code, §551.452.

2 (7) an off-highway vehicle license plate under Transportation Code, §551A.052.

3

4 §217.183. Fee Amount.

5 (a) Except as stated otherwise in this section and except as exempted [limited] by §217.184  
6 of this title (relating to Exclusions), a processing and handling fee in the amount of \$4.75 shall be  
7 collected with each registration transaction processed by the department, the county tax assessor-  
8 collector, or a deputy appointed by the county tax assessor-collector.

9 (b) Except as stated otherwise in subsection (c) of this section and except as exempted by  
10 §217.184 of this title (relating to Exclusions), for each registration transaction processed through  
11 the department’s TxFLEET system, the processing and handling fee consists of the following, which  
12 the applicant must pay: 1) \$4.75; and 2) the applicable service charge. [For registrations processed  
13 through the TxIRP system, the applicant shall pay any applicable service charge.]

14 (c) If a transaction includes both registration and issuance of a license plate or specialty  
15 plate, the processing and handling fee shall be collected on the registration transaction only.

16

17 §217.184. Exclusions.

18 The following transactions are exempt from the processing and handling fees [fee]  
19 established by §217.183 of this title (relating to Fee Amount), but are subject to any applicable  
20 service charge set pursuant to Government Code, §2054.2591, Fees. The processing and handling  
21 fees [fee] may not be assessed or collected on the following transactions:

22 (1) a replacement registration sticker under Transportation Code, §502.060;

23 (2) a registration transfer under Transportation Code, §502.192;

- 1 (3) an exempt registration under Transportation Code, §502.451 or §502.0025;
- 2 (4) a vehicle transit permit under Transportation Code, §502.492;
- 3 (5) a replacement license plate under Transportation Code, §504.007;
- 4 (6) a registration correction receipt, duplicate receipt, or inquiry receipt;
- 5 (7) an inspection fee receipt; or
- 6 (8) an exchange of license plate for which no registration fees are collected.

7

8 §217.185. Allocation of Processing and Handling ~~Fees.~~ [Fee.]

9 (a) For registration transactions, except as provided in subsection (b) of this section, the  
10 fee amounts [amount] established in §217.183 of this title (relating to Fee Amount) shall be  
11 allocated as follows:

12 (1) If the registration transaction was processed in person at the office of the  
13 county tax assessor-collector or mailed to an office of the county tax assessor-collector:

14 (A) the county tax assessor-collector may retain \$2.30; and

15 (B) the remaining amount shall be remitted to the department.

16 (2) [~~If the registration transaction was mailed to office of the county tax assessor-~~  
17 ~~collector:]~~

18 [~~(A) the county tax assessor collector may retain \$2.30; and]~~

19 [~~(B) the remaining amount shall be remitted to the department.]~~

20 [~~(3)]~~ If the registration transaction was processed through the department or the  
21 TxFLEET [TxRP] system or is a registration processed under Transportation Code, §§502.0023,  
22 502.091, or 502.255; or §217.46(b)(5) or(d)(1)(B)(i) of this title (relating to Commercial Vehicle  
23 Registration):

1 (A) \$2.30 will be remitted to the county tax assessor-collector; and

2 (B) the remaining amount shall be retained by the department.

3 ~~(3)~~~~(4)~~ If the registration transaction was processed through Texas by Texas (TxT)  
4 or the department's Internet Vehicle Title and Registration Service (IVTRS), [online registration  
5 portal,] the fee established in §217.183 is discounted by \$1:

6 (A) Texas Online receives the amount set pursuant to Government Code,  
7 §2054.2591, Fees;

8 (B) the county tax assessor-collector may retain \$.25; and

9 (C) the remaining amount shall be remitted to the department.

10 ~~(4)~~~~(5)~~ If the registration transaction was processed by a limited service deputy or  
11 full service deputy appointed by the county tax assessor-collector in accordance with Subchapter H  
12 of this chapter (relating to Deputies):

13 (A) the deputy may retain:

14 (i) the amount specified in §217.168(c) of this title (relating to  
15 Deputy Fee Amounts). The deputy must remit the remainder of the processing and handling fee to  
16 the county tax assessor-collector; and

17 (ii) the convenience fee established in §217.168, if the registration  
18 transaction is processed by a full service deputy;

19 (B) the county tax assessor-collector may retain \$1.30; and

20 (C) the county tax assessor-collector must remit the remaining amount to  
21 the department.

1                    ~~(5)~~~~(6)~~ If the registration transaction was processed by a dealer deputy appointed  
2 by the county tax assessor-collector in accordance with Subchapter H of this chapter (relating to  
3 Deputies):

4                    (A) the deputy must remit the processing and handling fee to the county tax  
5 assessor-collector;

6                    (B) the county tax assessor-collector may retain \$2.30; and

7                    (C) the county tax assessor-collector must remit the remaining amount to  
8 the department.

9                    (b) For transactions under Transportation Code, §§502.093 – 502.095, ~~§§502.092–~~  
10 ~~502.095,~~ the entity receiving the application and processing the transaction collects ~~[and retains]~~  
11 the \$4.75 ~~[entire]~~ processing and handling fee established in §217.183:~~[-]~~

12                    (1) the entity may retain \$4.25;

13                    (2) the entity must remit the remaining amount to the department; and

14                    (3) a [A] full service deputy processing a special registration ~~[temporary]~~ permit or  
15 special registration license plate transaction may not charge a convenience fee for that  
16 transaction.

17

18                    **SUBCHAPTER J. PERFORMANCE QUALITY RECOGNITION PROGRAM**

19                    **43 TAC §217.205**

20

21 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
22 Code, §520.003, which authorizes the department to adopt rules to administer Transportation Code,

1 Chapter 520, Miscellaneous Provisions; Transportation Code, §520.004, which authorizes the department  
2 to adopt rules to establish standards for uniformity and service quality for counties conducting registration  
3 and titling services; and Transportation Code, §1002.001, which authorizes the board to adopt rules that  
4 are necessary and appropriate to implement the powers and the duties of the department, as well as the  
5 statutes referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§520.003, 501.004, and 1002.001.

8

9 Text.

10 §217.205. Department Decision to Award, Deny, Revoke, or Demote a Recognition Level.

11 (a) Award of recognition level. The department may award a recognition level based on the  
12 following for the time frame of September 1st through August 31st immediately preceding the  
13 application deadline:

14 (1) information and documents contained in the application;

15 (2) any additional information, documentation, or clarification requested by the  
16 department; and

17 (3) information and documentation from department records.

18 (b) Denial of recognition level. The department may deny an award of recognition if:

19 (1) the application contains any incomplete or inaccurate information;

1 (2) the applicant fails to provide requested documents;

2 (3) the application contains incomplete documents;

3 (4) the application was not received by the department or postmarked by the  
4 department's deadline;

5 (5) the county tax assessor-collector who applied for recognition no longer holds the  
6 office of county tax assessor-collector;

7 (6) the county tax assessor-collector did not sign the application; or

8 (7) the department discovers information which shows the applicant does not comply  
9 with the criteria to receive a recognition level.

10 (c) Revocation of recognition level or demotion of recognition level.

11 (1) The department may revoke a recognition level if the department discovers  
12 information which shows the county tax assessor-collector no longer complies with the criteria for any  
13 recognition level.

14 (2) The department may demote a recognition level if the department discovers  
15 information which shows the county tax assessor-collector no longer complies with the criteria for the  
16 current recognition level, but still complies with the criteria for a recognition level. The recognition level  
17 will be demoted to the highest recognition level for which the county tax assessor-collector qualifies.

18 (d) Notice of department decision to award, deny, revoke, or demote a recognition level. The  
19 department shall notify the county tax assessor-collector of the department's decision via email,  
20 facsimile transmission, or regular mail.

1 (e) Deadline for department decision to award or to deny a recognition level. No later than  
2 December 31st of the calendar year ~~[90 calendar days after receiving the application for recognition]~~, the  
3 department shall send a written notice to the applicant stating:

4 (1) the department's decision to award or to deny a recognition level; or

5 (2) there will be a delay in the department's decision.

6

7

#### **SUBCHAPTER L. ASSEMBLED VEHICLES**

8

#### **43 TAC §217.404**

9 **STATUTORY AUTHORITY:** The department proposes amendments to Chapter 217 under Transportation  
10 Code §731.002 which authorizes the department to adopt rules as necessary to implement Chapter 731,  
11 governing assembled vehicles; and §1002.001, which authorizes the department to adopt rules that are  
12 necessary and appropriate to implement the powers and the duties of the department.

13 **CROSS REFERENCE TO STATUTE:** The proposed amendments would implement Transportation Code  
14 §§731.002, 731.051, and 1002.001.

15

16 Text.

17 §217.404. Initial Application for Title.

18 (a) An ~~[Prior to applying for title, an]~~ applicant must submit to the department a complete  
19 application for title. The application may be submitted in person, by mail, or electronically, to the  
20 department. The application must include:



1 (1) photographs of the front, rear, and side of the assembled vehicle, and if a  
2 replica, a photograph of what the vehicle is a replica of;

3 (2) evidence of ownership of the basic component parts of the assembled vehicle as  
4 described in §217.405 of this subchapter (relating to Evidence of Ownership), as applicable to the  
5 type of assembled vehicle;

6 (3) if applicable, proof, on a form prescribed by the department, of a safety  
7 inspection required under §217.143 of this chapter (relating to Assembled Vehicle Inspection  
8 Requirements), and Transportation Code §731.101;

9 (4) if applicable, a copy of the Automobile and Light Truck certification, or a  
10 successor certification, for the master technician who completed the inspection described in  
11 paragraph (3) of this subsection;

12 (5) a copy of the inspection that may be required under Transportation Code  
13 Chapter 548 if the assembled vehicle is to be registered for operation on the roadway;

14 (6) a Rebuilt Vehicle Statement;

15 (7) a weight certificate;

16 (8) identification as required in §217.5(d) of this chapter (relating to Evidence of  
17 Motor Vehicle Ownership); and

18 (9) any of the following means to establish the vehicle identification number:

19 (A) an Application for Assigned or Reassigned Number, and Notice of  
20 Assigned Number or Installation of Reassigned Vehicle Identification Number, on forms prescribed  
21 by the department;

1 (B) an Application for Assigned or Reassigned Number, establishing the  
2 vehicle identification number assigned by the manufacturer of the component part by which the  
3 assembled vehicle will be identified;

4 (C) acceptable proof, as established by the department, of a vehicle  
5 identification number assigned by the maker of the kit used to construct the assembled vehicle; or

6 (D) acceptable proof, as established by the department, of a vehicle  
7 identification number assigned by the manufacturer of the replica, custom vehicle, street rod, or  
8 glider kit.

9 (b) Following receipt of all information required under subsection (a) of this section, the  
10 department will review the application for completeness and to determine if [that] the vehicle  
11 meets assembled vehicle qualifications under Transportation code, Chapter 731.

12 (c) If the department determines that the application is complete and the vehicle meets  
13 assembled vehicle qualifications, the department will issue a letter to the applicant on department  
14 letterhead, stating that the application is complete and that the vehicle qualifies as an assembled  
15 vehicle. The letter shall include a list of the supporting documents and information identified in  
16 subsection (d)(2) of this section.

17 (d) Following receipt of the department's letter described in subsection (c) of this section,  
18 the applicant may then submit the letter and the completed application to the county tax assessor-  
19 collector for processing. The application must include:

20 (1) the department-issued letter described in subsection (c) of this section;

21 (2) copies of all items required to be submitted to the department in subsection

22 (a)(1) - (9) of this section; and

- 1 (3) the requirements as identified in §217.23 of this chapter (relating to Initial
- 2 Application for Vehicle Registration) if obtaining registration.

1   **SUBCHAPTER A. MOTOR VEHICLE TITLES**

2   **43 TAC §§217.2-9, 217.11, AND 217.14-16**

3

4   **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
5 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code,  
6 Chapter 501, Certificate of Title Act; Transportation Code, §501.023, which authorizes the department to  
7 prescribe the process and procedures for applying for a motor vehicle title; Transportation Code,  
8 §501.0235, which authorizes the department to adopt rules requiring current personal identification from  
9 applicants requesting a motor vehicle title; Transportation Code, §501.0236, as amended by HB 718,  
10 which authorizes the department to adopt rules governing the issuance of a motor vehicle titles and  
11 permits to purchasers of a motor vehicle where a motor vehicle dealer goes out of business;  
12 Transportation Code, §501.025, which authorizes the department to specify the requirements for a  
13 manufacturer’s certificate of origin for issuance of a motor vehicle title; Transportation Code, §501.029,  
14 which authorizes the department to adopt rules to identify documents that are acceptable as proof of  
15 ownership of a motor vehicle for registration purposes only; Transportation Code, §501.030, which  
16 authorizes the department to adopt rules governing identification number inspections for motor vehicles  
17 brought into the state; Transportation Code, §501.0315, which authorizes the department to adopt rules  
18 governing the designation of a beneficiary by a motor vehicle owner; §501.0321; Transportation Code  
19 §501.0322, which provides the department with authority to adopt rules to establish an alternative  
20 identification number inspection; Transportation Code, §501.051(d), which gives the department  
21 authority to place a hold on processing a title application for a motor vehicle if the department receives a  
22 request for a hold accompanied by evidence of a legal action regarding ownership of or a lien interest in  
23 the motor vehicle until a final, nonappealable judgment is entered in the action or the party requesting

1 the hold requests that the hold be removed; Transportation Code, §501.147, as amended by HB 718,  
2 which authorizes the department to adopt rules governing vehicle the submission of transfer notifications  
3 to the department; and Transportation Code, §1002.001, which authorizes the department to adopt rules  
4 that are necessary and appropriate to implement the powers and the duties of the department, as well  
5 as the statutes referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§501.023, 501.0235, 501.025, 501.029, 501.030, §501.0315, §501.0321, §501.0322, 501.051, 501.053,  
8 501.147, and 1002.001.

9  
10 Text.

11 §217.2. Definitions.

12 The following words and terms, when used in this subchapter, shall have the following  
13 meanings, unless the context clearly indicates otherwise.

14 (1) Alias--The name of a vehicle owner reflected on a title, when the name on the  
15 title is different from the name of the legal owner of the vehicle.

16 (2) Alias title--A title document issued by the department for a vehicle that is used  
17 by an exempt law enforcement agency in covert criminal investigations.

18 ~~[(3) All-terrain vehicle or ATV--A motor vehicle as defined by Transportation Code,~~  
19 ~~§551A.001, and designed primarily for recreational use. The term does not include a "utility~~  
20 ~~vehicle" as defined by Transportation Code, §551A.001, or a self-propelled, motor-driven vehicle~~  
21 ~~designed or marketed by the manufacturer primarily for non-recreational uses.]~~

22 ~~(3)[(4)] Bond release letter--Written notification from the United States~~  
23 Department of Transportation authorizing United States Customs to release the bond posted for a

1 motor vehicle imported into the United States to ensure compliance with federal motor vehicle  
2 safety standards.

3 (4) Current photo identification-- a government-issued photo identification that is  
4 currently valid or is within 12 months of the expiration date, or a state-issued personal identification  
5 certificate issued to a qualifying person if the identification states that it has no expiration.

6 (5) Date of sale--The date of the transfer of possession of a specific vehicle from a  
7 seller to a purchaser.

8 (6) Division director--The director of the department's Vehicle Titles and  
9 Registration Division.

10 (7) Executive administrator--The director of a federal agency, the director of a  
11 Texas state agency, the sheriff of a Texas county, or the chief of police of a Texas city who by law  
12 possesses the authority to conduct covert criminal investigations.

13 (8) Exempt agency--A governmental body exempt by law from paying title or  
14 registration fees for motor vehicles.

15 (9) Federal motor vehicle safety standards--Motor vehicle safety requirements  
16 promulgated by the United States Department of Transportation, National Highway Traffic Safety  
17 Administration, set forth in Title 49, Code of Federal Regulations.

18 ~~[(10)] House moving dolly--An apparatus consisting of metal beams and axles used~~  
19 ~~to move houses. House moving dollies, by nature of their construction and use, actually form large~~  
20 ~~semitrailers.]~~

21 ~~[(11)] Implements of husbandry--Farm implements, machinery, and tools used in~~  
22 ~~tilling the soil, including self-propelled machinery specifically designed or especially adapted for~~  
23 ~~applying plant food materials or agricultural chemicals. This term does not include an implement~~

1 ~~unless it is designed or adapted for the sole purpose of transporting farm materials or chemicals.~~  
2 ~~This term does not include any passenger car or truck. This term does include a towed vehicle that~~  
3 ~~transports to the field and spreads fertilizer or agricultural chemicals; or a motor vehicle designed~~  
4 ~~and adapted to deliver feed to livestock.]~~

5           (10) ~~[(12)]~~ Manufacturer's certificate of origin--A form prescribed by the  
6 department showing the original transfer of a new motor vehicle from the manufacturer to the  
7 original purchaser, whether importer, distributor, dealer, or owner and when presented with an  
8 application for title showing on appropriate forms prescribed by the department, each subsequent  
9 transfer between distributor and dealer, dealer and dealer, and dealer and owner.

10           (11) ~~[(13)]~~ Moped--A motor vehicle as defined by Transportation Code, §541.201.

11           (12) ~~[(14)]~~ Motor vehicle importation form--A declaration form prescribed by the  
12 United States Department of Transportation and certified by United States Customs that relates to  
13 any motor vehicle being brought into the United States and the motor vehicle's compliance with  
14 federal motor vehicle safety standards.

15           (13) ~~[(15)]~~ Non-United States standard motor vehicle--A motor vehicle not  
16 manufactured in compliance with federal motor vehicle safety standards.

17           ~~[(16)] Obligor--An individual who is required to make payments under the terms of a~~  
18 ~~support order for a child.]~~

19           ~~[(17)] Off-highway vehicle--A motor vehicle as defined by Transportation Code,~~  
20 ~~§551A.001.]~~

21           (14) ~~[(18)]~~ Person--An individual, firm, corporation, company, partnership, or other  
22 entity.

1           ~~[(19)] Recreational off-highway vehicle or ROV--A motor vehicle as defined by~~  
2 ~~Transportation Code, §551A.001, and designed primarily for recreational use. The term does not~~  
3 ~~include a "utility vehicle" as defined by Transportation Code, §551A.001, or a self-propelled,~~  
4 ~~motor-driven vehicle designed or marketed by the manufacturer primarily for non-recreational~~  
5 ~~uses.]~~

6           (15)[(20)] Safety certification label--A label placed on a motor vehicle by a  
7 manufacturer certifying that the motor vehicle complies with all federal motor vehicle safety  
8 standards.

9           ~~[(21) Sand rail--A motor vehicle as defined by Transportation Code, §551A.001.]~~

10           (16)[(22)] Statement of fact--A written declaration that supports an application for  
11 a title, that is executed by an involved party to a transaction involving a motor vehicle, and that  
12 clarifies an error made on a title or other negotiable evidence of ownership. An involved party is  
13 the seller, or an agent of the seller involved in the motor vehicle transaction. When a written  
14 declaration is necessary to correct an odometer disclosure error, the signatures of both the seller  
15 and buyer when the error occurred are required.

16           (17)[(23)] Title application--A form prescribed by the division director that reflects  
17 the information required by the department to create a motor vehicle title record.

18           ~~[(24) Utility vehicle or UTV--A motor vehicle as defined by Transportation Code,~~  
19 ~~§551A.001, and designed primarily for utility use. The term does not include a "golf cart" as~~  
20 ~~defined by Transportation Code, §551.401, or a self-propelled, motor-driven vehicle designed or~~  
21 ~~marketed by the manufacturer primarily for non-utility uses.]~~

22           (18)[(25)] Verifiable proof--Additional documentation required of a vehicle owner,  
23 lienholder, or agent executing an application for a certified copy of a title.



1                   ~~[(A) Individual applicant. If the applicant is an individual, verifiable proof~~  
2 ~~consists of a copy of a current photo identification issued by this state or by the United States or~~  
3 ~~foreign passport.]~~

4                   ~~[(B) Business applicant. If the applicant is a business, verifiable proof~~  
5 ~~consists of an original or copy of a letter of signature authority on letterhead, a business card, or~~  
6 ~~employee identification and a copy of current photo identification issued by this state or by the~~  
7 ~~United States or foreign passport.]~~

8                   ~~[(C) Power of attorney. If the applicant is a person in whose favor a power~~  
9 ~~of attorney has been executed by the owner or lienholder, verifiable proof consists of the~~  
10 ~~documentation required under subparagraph (A) or (B) of this paragraph both for the owner or~~  
11 ~~lienholder and for the person in whose favor the power of attorney is executed.]~~

12

13 §217.3. Motor Vehicle Titles.

14           Unless otherwise exempted by law or this chapter, the owner of any motor vehicle that is  
15 required to be titled, including any motor vehicle required to be registered in accordance with  
16 Transportation Code Chapter 502, shall apply for a Texas title in accordance with Transportation  
17 Code Chapter 501 or 731, or this subchapter.

18                   (1) Motorcycles, autocycles, and mopeds.

19                   ~~[(A)]~~ The title requirements for a motorcycle, autocycle, and moped are the  
20 same requirements prescribed for any motor vehicle.

21                   ~~[(B) A vehicle that meets the criteria for a moped under Transportation~~  
22 ~~Code §541.201(8).]~~

23                   (2) Farm vehicles.

1                   ~~[(A)The term "motor vehicle" does not apply to implements of husbandry,~~  
2 ~~which may not be titled.]~~

3                   (A)~~[(B)]~~ Farm tractors owned by agencies exempt from registration fees in  
4 accordance with Transportation Code §502.453, are required to be titled and registered with  
5 "Exempt" license plates issued in accordance with Transportation Code §502.451.

6                   (B)~~[(C)]~~ [Farm]Tractors ~~[tractors]~~ used as road tractors to mow rights of way  
7 or used to move commodities over the highway for hire are required to be registered and titled.

8                   ~~[(D) Owners of farm trailers and farm semitrailers with a gross weight of~~  
9 ~~34,000 pounds or less may apply for a Texas title. Owners of farm trailers and farm semitrailers~~  
10 ~~with a gross weight in excess of 34,000 pounds shall apply for a Texas title. If a farm trailer or farm~~  
11 ~~semitrailer with a gross weight of 34,000 pounds or less has been titled previously, any subsequent~~  
12 ~~owner shall apply for a Texas title for the farm trailer or farm semitrailer.]~~

13                   (3) Neighborhood electric vehicles. The title requirements of a neighborhood  
14 electric vehicle (NEV) are the same requirements prescribed for any motor vehicle.

15                   (4) Trailers, semitrailers, and house trailers.~~[Owners of trailers and semitrailers~~  
16 ~~shall apply for a Texas title for any trailer or semitrailer with a gross weight in excess of 4,000~~  
17 ~~pounds. Owners of trailers and semitrailers with a gross weight of 4,000 pounds or less may apply~~  
18 ~~for a Texas title.]~~ If a trailer or semitrailer with a gross weight of 4,000 pounds or less has been  
19 titled previously, any subsequent owner shall apply for a Texas title for the trailer or semitrailer.

20 Travel ~~[House]~~ trailer-type vehicles must meet the criteria outlined in subparagraph (C) of this  
21 paragraph to be titled:

22                   (A) The rated carrying capacity will not be less than one-third of its empty  
23 weight.

1 (B) Mobile office trailers, mobile oil field laboratories, and mobile oil field  
2 bunkhouses are not designed as dwellings, but are classified as commercial semitrailers and must  
3 be registered and titled as commercial semitrailers if operated on the public streets and highways.

4 (C) House trailer-type vehicles and camper trailers must meet the following  
5 criteria in order to be titled.

6 (i) A house trailer-type vehicle that is less than eight feet six inches  
7 in width or less than 45 feet in length is classified as a travel trailer and shall be registered and  
8 titled.

9 (ii) A camper trailer shall be titled as a house trailer and shall be  
10 registered with travel trailer license plates.

11 (iii) A recreational park model type trailer that is primarily designed  
12 as temporary living quarters for recreational, camping or seasonal use, is built on a single chassis,  
13 and is 400 square feet or less when measured at the largest horizontal projection when in the set  
14 up mode shall be titled as a house trailer and may be issued travel trailer license plates.

15 (5) Assembled vehicles. The title requirements for assembled vehicles are  
16 prescribed in Subchapter L of this title (relating to Assembled Vehicles).

17 (6) Not Eligible for Title. The following are not eligible for a Texas title regardless of  
18 the vehicle's previous title or registration in this or any other jurisdiction:

19 (A) vehicles that are missing or are stripped of their motor, frame, or body,  
20 to the extent that the vehicle loses its original identity or makes the vehicle unsafe for on-road  
21 operation as determined by the department;

22 (B) vehicles designed by the manufacturer for on-track racing only;

1 (C) vehicles designed or determined by the department to be for off-  
2 highway use only, unless specifically defined as a "motor vehicle" in Transportation Code Chapter  
3 501; or

4 (D) vehicles assembled, built, constructed, rebuilt, or reconstructed in any  
5 manner with:

6 (i) a body or frame from a vehicle which is a "nonrepairable motor  
7 vehicle" as that term is defined in Transportation Code §501.091(9); or

8 (ii) a motor or engine from a vehicle which is flood damaged, water  
9 damaged, or any other term which may reasonably establish the vehicle from which the motor or  
10 engine was obtained is a loss due to a water related event.

11

12 §217.4. Initial Application for Title.

13 (a) Time for application. A person must apply for the title not later than the 30th day after  
14 the date of assignment, except:

15 (1) in a seller-financed sale, the title must be applied for not later than the 45th day  
16 after the date the motor vehicle is delivered to the purchaser;

17 (2) a member of the armed forces or a member of a reserve component of the  
18 United States, a member of the Texas National Guard or of the National Guard of another state  
19 serving on active duty, must apply not later than the 60th day after the date of assignment of  
20 ownership; or

21 (3) as otherwise provided by Transportation Code, Chapter 501.

1 (b) Place of application. Except as otherwise provided by Transportation Code, Chapters  
2 501 and 502, and by §217.84(a) of this title (relating to Application for Nonrepairable or Salvage  
3 Vehicle Title), when motor vehicle ownership is transferred, a title application must be filed with:

4 (1) the county tax assessor-collector in the county in which the applicant resides or  
5 in the county in which the motor vehicle was purchased or encumbered; or

6 (2) a county tax assessor-collector of a county who is willing to accept the  
7 application.

8 (c) Information to be included on application. An applicant for an initial title must file an  
9 application on a form prescribed by the department. The form will at a minimum require the:

10 (1) motor vehicle description including, but not limited to, the motor vehicle:

11 (A) year;

12 (B) make;

13 (C) identification number;

14 (D) body style; and

15 (E) empty weight;

16 (2) license plate number, if the motor vehicle is subject to registration under  
17 Transportation Code, Chapter 502;

18 (3) odometer reading and brand, or the word "exempt" if the motor vehicle is  
19 exempt from federal and state odometer disclosure requirements;

20 (4) previous owner's legal name and municipality and state, if available;

21 (5) legal name as stated on the identification presented and complete address of  
22 the applicant;

23 (6) name and mailing address of any lienholder and the date of lien, if applicable;

1 (7) signature of the seller of the motor vehicle or the seller's authorized agent and  
2 the date the title application was signed; and

3 (8) signature of the applicant or the applicant's authorized agent and the date the  
4 title application was signed.

5 (d) Accompanying documentation. The title application must be supported by, at a  
6 minimum, the following documents:

7 (1) evidence of vehicle ownership, as described in §217.5 of this title (relating to  
8 Evidence of Motor Vehicle Ownership);

9 (2) an odometer disclosure statement properly executed by the seller of the motor  
10 vehicle and acknowledged by the purchaser, if applicable;

11 (3) proof of financial responsibility in the applicant's name, as required by  
12 Transportation Code, §502.046, unless otherwise exempted by law;

13 (4) for a vehicle last registered or titled in another state, [inspection report if  
14 required by Transportation Code, Chapter 548, and Transportation Code, §501.030,] verification of  
15 the vehicle identification number by a process prescribed on a form by the department for the  
16 applicant to self-certify the vehicle identification number if the vehicle is not subject to  
17 Transportation Code, Chapter 548 [and if the vehicle is being titled and registered, or registered  
18 only];

19 (5) a release of any liens, provided that if any liens are not released, they will be  
20 carried forward on the new title application; ~~[with the following limitations:]~~

21 ~~[(A) A lien recorded on out-of-state evidence as described in §217.5 cannot~~  
22 ~~be carried forward to a Texas title when there is a transfer of ownership, unless a release of lien or~~  
23 ~~authorization from the lienholder is attached; and]~~

1                   ~~[(B) A lien recorded on out-of-state evidence as described in §217.5 is not~~  
2 ~~required to be released when there is no transfer of ownership from an out-of-state title and the~~  
3 ~~same lienholder is being recorded on the Texas application as is recorded on the out-of-state title;]~~  
4 and

5                   (6) any documents required by §217.9 of this title (relating to Bonded Titles).

6

7 §217.5. Evidence of Motor Vehicle Ownership.

8                   (a) Evidence of motor vehicle ownership properly assigned to the applicant must  
9 accompany the title application. Evidence must include, but is not limited to, the following  
10 documents.

11                   (1) New motor vehicles. A manufacturer's certificate of origin assigned by the  
12 manufacturer or the manufacturer's representative or distributor to the original purchaser is  
13 required for a new motor vehicle that is sold or offered for sale.

14                   (A) The manufacturer's certificate of origin must be in the form prescribed  
15 by the department and must contain, at a minimum, the following information:

16                                   (i) manufacturer's name on the face of the manufacturer's  
17 certificate of origin;

18                                   (ii)[(†)] motor vehicle description including, but not limited to, the  
19 motor vehicle year, make, model, identification number, and body style;

20                                   (iii)[(‡)] the empty or shipping weight;

21                                   (iv)[(‡‡)] the gross vehicle weight when the manufacturer's  
22 certificate of origin is invoiced to a licensed Texas motor vehicle dealer and is issued for  
23 commercial motor vehicles as that term is defined in Transportation Code, Chapter 502;

1                                    (v)~~(iv)~~ a statement identifying a motor vehicle designed by the  
2 manufacturer for off-highway use only; ~~and~~

3                                    (vi) if the vehicle is a motor bus, the manufacturer must show the  
4 seating capacity (number of passengers) of the motor bus on the manufacturer's certificate; and

5                                    (vii)~~(v)~~ if the vehicle is a "neighborhood electric vehicle," a  
6 statement that the vehicle meets Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500)  
7 for low-speed vehicles.

8                                    (B) When a motor vehicle manufactured in another country is sold directly  
9 to a person other than a manufacturer's representative or distributor, the manufacturer's  
10 certificate of origin must be assigned to the purchaser by the seller.

11                                    (2) Used motor vehicles. Applicants applying for title to a used motor vehicle must  
12 relinquish as evidence of ownership one of the following documents:

13                                    (A) A title issued by the department;

14                                    (B) a title issued by another state if the motor vehicle was last titled in  
15 another state;

16                                    (C) documents evidencing a transfer of motor vehicle ownership by  
17 operation of law as listed in Transportation Code §501.074;

18                                    (D) a registration receipt if the applicant is coming from a state that no  
19 longer titles vehicles after a certain period of time; or

20                                    (E) a bill of sale when the applicant presents:

21    i. an out-of-state or out-of-country registration receipt that  
22 does not provide a transfer of ownership section;



1 ii. an out of state title when all dealer reassignment sections  
2 have been completed and the issuing state does not utilize supplemental dealer reassignment  
3 forms; or

4 iii. a non-titled vehicle.

5 ~~[A title issued by the department, a title issued by another state if the motor vehicle was last~~  
6 ~~registered and titled in another state, or other evidence of ownership must be relinquished in~~  
7 ~~support of the title application for any used motor vehicle. A registration receipt is required from a~~  
8 ~~vehicle owner coming from a state that no longer titles vehicles after a certain period of time.]~~

9 (3) Evidence of Ownership for Purpose of Identification Number Assignment or  
10 Reassignment. An applicant for assignment or reassignment of an identification number under  
11 Transportation Code §501.033 who is unable to produce evidence of ownership under this section,  
12 may file a bond with the department in accordance with Transportation Code §501.053 and §217.9  
13 of this title (relating to Bonded Titles). The bond will serve as evidence of ownership for purposes  
14 of §501.033(b).

15 (4) Motor vehicles brought into the United States. An application for title for a  
16 motor vehicle last registered or titled in a foreign country must be supported by documents  
17 including, but not limited to, the following:

18 (A) the motor vehicle registration certificate or other verification issued by  
19 a foreign country reflecting the name of the applicant as the motor vehicle owner, or reflecting  
20 that legal evidence of ownership has been legally assigned to the applicant;

21 (B) the identification number inspection required under Transportation  
22 Code §501.032(a)(2), except as provided in §501.032(b); and

1 (C) for motor vehicles that are less than 25 years old, proof of compliance  
2 with United States Department of Transportation (USDOT) regulations including, but not limited to,  
3 the following documents:

4 (i) the original bond release letter with all attachments advising that  
5 the motor vehicle meets federal motor vehicle safety requirements or a letter issued by the  
6 USDOT, National Highway Traffic Safety Administration, verifying the issuance of the original bond  
7 release letter;

8 (ii) a legible copy of the motor vehicle importation form validated  
9 with a ~~[an original United States Customs stamp, date, and]~~signature as filed with the USDOT  
10 confirming the exemption from the bond release letter required in clause (i) of this subparagraph,  
11 or a copy thereof certified by United States Customs;

12 (iii) a verification of motor vehicle inspection by United States  
13 Customs certified on its letterhead and signed by its agent verifying that the motor vehicle  
14 complies with USDOT regulations;

15 (iv) a written confirmation that a physical inspection of the safety  
16 certification label has been made by the department and that the motor vehicle meets United  
17 States motor vehicle safety standards;

18 (v) the original bond release letter, verification thereof, or written  
19 confirmation from the previous state verifying that a bond release letter issued by the USDOT was  
20 relinquished to that jurisdiction, if the non-United ~~[non-United]~~ States standard motor vehicle was  
21 last titled or registered in another state for one year or less; or

22 (vi) verification from the vehicle manufacturer on its letterhead  
23 stationery.

1 (b) Alterations to documentation. An alteration to a registration receipt, title,  
2 manufacturer's certificate, or other evidence of ownership constitutes a valid reason for the  
3 rejection of any transaction to which altered evidence is attached.

4 (1) Altered lien information on any surrendered evidence of ownership requires a  
5 release from the original lienholder or a statement from the proper authority of the state in which  
6 the lien originated. The statement must verify the correct lien information.

7 (2) A strikeover that leaves any doubt about the legibility of any digit in any  
8 document will not be accepted.

9 (3) A corrected manufacturer's certificate of origin will be required if the  
10 manufacturer's certificate of origin contains an:

11 (A) incomplete or altered vehicle identification number;

12 (B) alteration or strikeover of the vehicle's model year;

13 (C) alteration or strikeover to the body style, or omitted body style on the  
14 manufacturer's certificate of origin; or

15 (D) alteration or strikeover to the weight.

16 (4) A statement[Statement] of fact[Fact] may be requested to explain errors,  
17 corrections, or conditions from which doubt does or could arise concerning the legality of any  
18 instrument. A statement[Statement] of fact[Fact] will be required in all cases:

19 (A) in which the date of sale on an assignment has been erased or altered in  
20 any manner; or

21 (B) of alteration or erasure on a Dealer's Reassignment of Title.

1 (c) Rights of survivorship. A signed "rights of survivorship" agreement may be executed by  
2 a natural person acting in an individual capacity in accordance with Transportation Code,  
3 §501.031.

4 (d) Identification required.

5 (1) An application for title is not acceptable unless the applicant presents a current  
6 photo identification of the owner containing a unique identification number~~[and expiration date]~~.

7 The current photo identification ~~[document]~~ must be a:

8 (A) driver's license or state identification certificate issued by a state or  
9 territory of the United States;

10 (B) United States or foreign passport;

11 (C) United States military identification card;

12 (D) North Atlantic Treaty Organization identification or identification issued  
13 under a Status of Forces Agreement;

14 (E) United States Department of Homeland Security, United States  
15 Citizenship and Immigration Services, or United States Department of State identification  
16 document; or

17 (F)~~[concealed handgun license or]~~license to carry a handgun issued by the  
18 Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H.

19 (2) If the motor vehicle is titled in:

20 (A) more than one name, then the identification of one owner must be  
21 presented;

22 (B) the name of a leasing company, then:

1 (i) proof of the Federal Employer Identification Number/Employee  
2 Identification Number (FEIN/EIN) of the leasing company must be submitted, written on the  
3 application, and can be entered into the department's titling system. The number must correspond  
4 to the name of the leasing company in which the vehicle is being titled; and

5 (ii) the leasing company may submit:

6 (I) a government issued photo identification, required under  
7 paragraph (1) of this subsection, of the lessee listed as the registrant; or

8 (II) a government issued photo identification, required under  
9 paragraph (1) of this subsection, of the employee or authorized agent who signed the application  
10 for the leasing company, and the employee's or authorized agent's employee identification, letter  
11 of authorization written on the lessor's letterhead, or a printed business card. The printed business  
12 card, employee identification, or letter of authorization written on the lessor's letterhead must  
13 contain the name of the lessor, and the employee's or authorized agent's name must match the  
14 name on the government issued photo identification;

15 (C) the name of a trust, then a government issued photo identification,  
16 required under paragraph (1) of this subsection, of a trustee must be presented; or

17 (D) the name of a business, government entity, or organization, then:

18 (i) proof of the Federal Employer Identification Number/Employee  
19 Identification Number (FEIN/EIN) of the business, government entity, or organization must be  
20 submitted, written on the application, and can be entered into the department's titling system.  
21 The number must correspond to the name of the business, government entity, or organization in  
22 which the vehicle is being titled;

1 (ii) the employee or authorized agent must present a government  
2 issued photo identification, required under paragraph (1) of this subsection; and

3 (iii) the employee's or authorized agent's employee identification;  
4 letter of authorization written on the business', government entity's, or organization's letterhead;  
5 or a printed business card. The printed business card, employee identification, or letter of  
6 authorization written on the business', government entity's, or organization's letterhead must  
7 contain the name of the business, governmental entity, or organization, and the employee's or  
8 authorized agent's name must match the name on the government issued photo identification.

9 (3) In addition to the requirements of paragraphs (1) and (2) of this subsection, if a  
10 power of attorney is being used to apply for a title, then the applicant must show:

11 (A) identification, required under paragraph (1) of this subsection, matching  
12 the person named as power of attorney; or

13 (B) identification, required under paragraph (1) of this subsection, and  
14 employee identification or a printed business card or authorization written on the letterhead of  
15 the entity named as power of attorney that matches the identification of the employee if the  
16 power of attorney names an entity.

17 ~~[(4) Within this subchapter, "current" is defined as not to exceed 12 months after~~  
18 ~~the expiration date, except that a state-issued personal identification certificate issued to a~~  
19 ~~qualifying person is considered current if the identification states that it has no expiration.]~~

20 (4)~~[(5)]~~ Within this subsection, an identification document such as a printed  
21 business card, letter of authorization, or power of attorney, may be an original or a photocopy.

1                   (5)~~[(6)]~~ A person who holds a general distinguishing number issued under  
2 Transportation Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is exempt from submitting  
3 to the county tax assessor-collector, but must retain:

4                               (A) the owner's identification, as required under paragraph (1) of this  
5 subsection; and

6                               (B) authorization to sign, as required under paragraph (2) of this subsection.

7                   (6)~~[(7)]~~ A person who holds a general distinguishing number issued under  
8 Transportation Code, Chapter 503 [~~or Occupations Code, Chapter 2301,~~] is not required to submit  
9 photo identification or authorization for an employee or agent signing a title assignment with a  
10 secure power of attorney.

11  
12 §217.6. Title Issuance.

13                   (a) Issuance. The department or its designated agent will issue a receipt and process the  
14 application for title on receipt of:

15                               (1) a completed application for title;

16                               (2) required accompanying documentation;

17                               (3) the statutory fee for a title application, unless exempt under:

18                                       (A) Transportation Code, §501.138; or

19                                       (B) Government Code, §437.217 and copies of official military orders are  
20 presented as evidence of the applicant's active duty status and deployment orders to a hostile fire  
21 zone; and

22                               (4) any other applicable fees.

1 (b) Titles. The department will issue and mail or deliver a title to the applicant or, in the  
2 event that there is a lien disclosed in the application, to the first lienholder unless the title is an  
3 electronic record of title.

4 (c) Receipt. The receipt issued at the time of application for title may be used only as  
5 evidence of title and may not be used to transfer any interest or ownership in a motor vehicle or to  
6 establish a new lien.

7 (d) Temporary hold. The department shall place a hold on processing a title application for  
8 a motor vehicle if the department receives a request for a hold accompanied by evidence of a legal  
9 action regarding ownership of or a lien interest in the motor vehicle. The hold shall continue until a  
10 final, nonappealable judgment is entered in the action or the party requesting the hold requests  
11 that the hold be removed.

12 (1) Evidence of a legal action regarding ownership of or a lien interest in a motor  
13 vehicle means evidence showing a legal action regarding ownership of or a lien interest in a motor  
14 vehicle filed in a district, county, statutory probate court, or bankruptcy court.

15 (2) Legal actions filed in justice of the peace or municipal courts do not qualify as  
16 evidence for purposes of this section unless the case is related to Chapter 47, Code of Criminal  
17 Procedure, or Section 27.031, Government Code.

18 (3) Legal actions regarding ownership of or a lien interest in a motor vehicle must  
19 be active on a court's docket. If the evidence presented in support of a request for a hold is a legal  
20 action that has been resolved through a final nonappealable judgment, additional evidence of  
21 post-judgment legal actions must be presented to place a hold on processing a title.

22 (4) The department shall place a ten-day temporary hold on processing a title if a  
23 party seeking to obtain a 10-day temporary hold presents the VIN of the vehicle for which the hold



1 is sought, and attests that the hold is being requested in order to commence a legal action  
2 disputing a title or lien interest in a motor vehicle and not for purposes of delay.

3 (5) For the purposes of this subsection, a final nonappealable judgment is a  
4 judgment for which 30 days have passed from the day the judgment was entered without a notice  
5 of appeal being filed.

6

7 §217.7. Replacement of Title.

8 (a) Lost or destroyed title. If a title is lost or destroyed, the department will issue a certified  
9 copy of the title to the owner, the lienholder, or a verified agent of the owner or lienholder in  
10 accordance with Transportation Code, Chapter 501, on proper application and payment of the  
11 appropriate fee to the department.

12 (b) Identification required.

13 (1) An owner or lienholder may not apply for a certified copy of title unless the  
14 applicant presents a current photo identification of the owner or lienholder containing a unique  
15 identification number and expiration date. The current photo identification [~~document~~] must be a:

16 (A) driver's license or state identification certificate issued by a state or  
17 territory of the United States;

18 (B) United States or foreign passport;

19 (C) United States military identification card;

20 (D) North Atlantic Treaty Organization identification or identification issued  
21 under a Status of Forces Agreement;

1 (E) United States Department of Homeland Security, United States  
2 Citizenship and Immigration Services, or United States Department of State identification  
3 document; or

4 (F)[~~concealed handgun license or~~] license to carry a handgun issued by the  
5 Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H.

6 (2) If the motor vehicle is titled in:

7 (A) more than one name, then the identification for each owner must be  
8 presented;

9 (B) the name of a leasing company, then the lessor's employee or  
10 authorized agent who signed the application for the leasing company must present:

11 (i) a government issued photo identification, required under  
12 paragraph (1) of this subsection; and

13 (ii) employee identification, letter of authorization written on the  
14 lessor's letterhead, or a printed business card. The printed business card, employee identification,  
15 or letter of authorization written on the lessor's letterhead must contain the name of the lessor,  
16 and the employee's or authorized agent's name must match the name on the government issued  
17 photo identification;

18 (C) the name of a trust, then a government issued photo identification,  
19 required under paragraph (1) of this subsection, of a trustee must be presented; or

20 (D) the name of a business, government entity, or organization, then:

21 (i) the employee or authorized agent must present a government  
22 issued photo identification, required under paragraph (1) of this subsection; and

1 (ii) the employee's or authorized agent's employee identification;  
2 letter of authorization written on the business', government entity's, or organization's letterhead;  
3 or a printed business card. The printed business card, employee identification, or letter of  
4 authorization written on the business', government entity's, or organization's letterhead must  
5 contain the name of the business, governmental entity, or organization, and the employee's or  
6 authorized agent's name must match the name on the government issued photo identification.

7 (3) In addition to the requirements of paragraphs (1) and (2) of this subsection, if a  
8 power of attorney is being used to apply for a certified copy of title, then the applicant must show:

9 (A) current photo identification, required under paragraph (1) of this  
10 subsection, matching the person named as power of attorney;

11 (B) current photo identification, required under paragraph (1) of this  
12 subsection, and employee identification or a printed business card or authorization written on the  
13 letterhead of the entity named as power of attorney that matches the identification of the  
14 employee if the power of attorney names an entity; or

15 (C) current photo identification, required under paragraph (1) of this  
16 subsection, of the owner or lienholder.

17 ~~[(4) Within this subchapter, "current" is defined as within 12 months after the~~  
18 ~~expiration date, except that a state-issued personal identification certificate issued to a qualifying~~  
19 ~~person is considered current if the identification states that it has no expiration.]~~

20 ~~(4)~~[(5)] Within this subsection, an identification document, such as a printed  
21 business card, letter of authorization, or power of attorney, may be an original or a photocopy.

22 (c) Issuance. An application for a certified copy must be properly executed and supported  
23 by appropriate verifiable proof of the vehicle owner, lienholder, or agent regardless of whether

1 the application is submitted in person or by mail. A certified copy will not be issued until after the  
2 14th day that the original title was issued.

3 (d) Denial. If issuance of a certified copy is denied, the applicant may resubmit the request  
4 with the required verifiable proof or may pursue the privileges available in accordance with  
5 Transportation Code, §501.052 and §501.053.

6 (e) Additional copies. An additional certified copy will not be issued until 30 days after  
7 issuance of the previous certified copy.

8 (f) Fees. The fee for obtaining a certified copy of a title is \$2 if the application is submitted  
9 to the department by mail and \$5.45 if the application is submitted in person for expedited  
10 processing at one of the department's regional offices.

11  
12 §217.8. Second-Hand Vehicle Transfers.

13 (a) Voluntary notification. A transferor, other than a dealer who holds a general  
14 distinguishing number, of a motor vehicle may voluntarily make written notification to the  
15 department of the sale of the vehicle, in accordance with Transportation Code, §501.147. The  
16 written notification may be submitted to the department by mail, in person at one of the  
17 department's regional offices, or electronically through the department's Internet website.

18 (b) Required notification. A dealer who holds a general distinguishing number is required to  
19 submit a written vehicle transfer notification to the department including the information required  
20 under Transportation Code, §501.147(b) upon the sale or transfer of a motor vehicle to the dealer.  
21 The written notification may be submitted to the department by mail, in person at one of the  
22 department's regional offices, or electronically through the department's Internet website.

1            ~~(c)~~~~(b)~~ Records. On receipt of written notice of transfer from the transferor of a motor  
2 vehicle or dealer who holds a general distinguishing number, the department will mark its records  
3 to indicate the date of transfer and will maintain a record of the information provided on the  
4 written notice of transfer.

5            ~~(d)~~~~(e)~~ Title issuance. A title will not be issued in the name of a transferee until the  
6 transferee files an application for the title as described in this subchapter.

7

8 §217.9. Bonded Titles

9            (a) Who may file. A person who has an interest in a motor vehicle to which the department  
10 has refused to issue a title or has suspended or revoked a title may request issuance of a title from  
11 the department on a prescribed form if the vehicle is in the possession of the applicant; and

12            (1) there is a record that indicates a lien that is less than ten years old and the  
13 applicant provides a [surety bonding company ensures lien satisfaction or] release of all liens and a  
14 bond [lien];

15            (2) there is a record that indicates there is not a lien or the lien is ten or more years  
16 old; or

17            (3) the department has no previous motor vehicle record.

18            (b) Administrative fee. The applicant must pay the department a \$15 administrative fee in  
19 addition to any other required fees.

20            (c) Value. The amount of the bond must be equal to one and one-half times the value of  
21 the vehicle as determined under Tax Code §152.0412 regarding Standard Presumptive Value (SPV).  
22 If the SPV is not available, then a national reference guide will be used. If the value cannot be  
23 determined by the department through either source, then the person may obtain an appraisal. If

1 a motor vehicle is 25 years or older, a person may obtain an appraisal to determine the value  
2 instead of using a national reference guide.

3 (1) The appraisal must be on a form specified by the department from a Texas  
4 licensed motor vehicle dealer for the categories of motor vehicles that the dealer is licensed to sell  
5 or a Texas licensed insurance adjuster who may appraise any type of motor vehicle.

6 (2) The appraisal must be dated and be submitted to the department within 30 days  
7 of the appraisal.

8 (3) If the motor vehicle is 25 years or older and the appraised value of the vehicle is  
9 less than \$4,000, the bond amount will be established from a value of \$4,000.

10 (4) If the motor vehicle is a trailer or semitrailer, the person may, as an alternative  
11 to an appraisal, have the bond amount established from a value of:

12 (A) \$4,000, if under 20 feet in length, or

13 (B) \$7,000, if 20 or more feet in length.

14 (d) Vehicle identification number inspection. If the department has no motor vehicle record  
15 for the vehicle, the vehicle identification number must be verified by an inspection under  
16 Transportation Code §501.0321.

17 (e) Required documentation. An applicant may apply for a bonded title if the applicant  
18 submits:

19 (1) any evidence of ownership;

20 (2) the original bond within 30 days of issuance;

21 (3) the notice of determination within one year of issuance and the receipt for \$15  
22 paid to the department;

23 (4) the documentation determining the value of the vehicle;

1 (5) proof of the vehicle identification number inspection, as described in subsection  
2 (d) of this section, if the department has no motor vehicle record for the vehicle;

3 (6) a weight certificate if the weight cannot otherwise be determined;

4 (7) ~~[a certification of lien satisfaction by the surety bonding company, or]~~ a release  
5 of lien, if the ~~[notice of determination letter states that there may be a]~~ lien is less than ten years  
6 old; and

7 (8) any other required documentation and fees.

8 (f) Report of Judgment. The bond must require that the surety report payment of any  
9 judgment to the department within 30 days.

10

11 §217.11. Rescission, Cancellation or Revocation by Affidavit.

12 (a) Under Transportation Code §501.051(b), the ~~[The]~~ department may rescind, cancel, or  
13 revoke an existing title or application for a title if a notarized or county stamped affidavit is  
14 completed and presented to the department within 90 days of initial sale containing all of the  
15 information required by Transportation Code §501.051(b)(1)-(4).~~[:]~~

16 ~~[(1) a statement that the vehicle involved was a new motor vehicle in the process of~~  
17 ~~a first sale;]~~

18 ~~[(2) a statement that the dealer, the applicant, and any lienholder have canceled~~  
19 ~~the sale;]~~

20 ~~[(3) a statement that the vehicle was:]~~

21 ~~[(A) never in possession of the title applicant; or]~~

22 ~~[(B) in the possession of the title applicant;]~~

1                   ~~[(4) the signatures of the dealer, the applicant, and any lienholder as principal to~~  
2                   ~~the document; and]~~

3                   ~~(b)[(5)] An affidavit must be accompanied by an odometer disclosure statement~~  
4                   ~~executed by the purchaser of the motor vehicle and acknowledged by the dealer if the vehicle was~~  
5                   ~~ever in the possession of the title applicant. [by the dealer if a statement is made pursuant to~~  
6                   ~~paragraph (3)(B) of this subsection to be used for the purpose of determining usage subsequent to~~  
7                   ~~sale.]~~

8                   ~~[(b) A rescission, cancellation, or revocation containing the statement authorized under~~  
9                   ~~subsection (a)(3)(B) of this section does not negate the fact that the vehicle has been subject to a~~  
10                   ~~previous retail sale.]~~

11  
12                   217.14. Exemptions from Title.

13                   Vehicles eligible for machinery license plates and permit license plates in accordance with  
14                   Transportation Code, §502.146 ~~[registered with the following distinguishing license plates]~~ may  
15                   not be titled under Transportation Code, Chapter 501.[:]

16                   ~~[(1) vehicles eligible for machinery license plates and permit license plates in~~  
17                   ~~accordance with Transportation Code, §502.146; and]~~

18                   ~~[(2) vehicles eligible for farm trailer license plates in accordance with~~  
19                   ~~Transportation Code, §502.433, unless the owner chooses to title a farm semitrailer with a gross~~  
20                   ~~weight of more than 4,000 pounds that is registered in accordance with §502.146, as provided by~~  
21                   ~~Transportation Code, §501.036.]~~

22  
23                   §217.15. Title Issuance to Government Agency for Travel Trailer.



1 (a) A government agency may apply to the department for a title to a travel trailer  
2 purchased by or transferred to the government agency if the travel trailer is being used as  
3 temporary housing in response to a natural disaster or other declared emergency.

4 (b) A government agency applying for a title under subsection (a) of this section must  
5 comply with §217.4(a), (c), and (d) of this title (relating to Initial Application for Title).

6 (c) The department will issue a title to a government agency under this section without  
7 payment of a fee if the government agency is not applying for registration at the same time. If the  
8 government agency is also applying for registration, the government agency must pay any  
9 applicable ~~[state inspection]~~ fee under Transportation Code, Chapter 548 to the department at the  
10 time of application.

11

12 §217.16. Application for Title When Dealer Goes Out of Business.

13 (a) A person who purchased a vehicle from a dealer who is required to apply for a title on  
14 the purchaser's behalf under Transportation Code, §501.0234 may apply for title as prescribed by  
15 this section if the dealer has gone out of business and did not apply for title.

16 (b) For purposes of this section, a dealer has gone out of business if:

17 (1) the dealer's license has been closed or has expired; or

18 (2) operations have ceased at the licensed location as determined by the  
19 department.

20 (c) For purposes of this section, a person must obtain a letter on department letterhead  
21 stating a dealer has gone out of business. A person may request the letter by contacting the  
22 department, including a Regional Service Center, or a county tax assessor-collector's office.

1 (d) An application under subsection (a) of this section must meet the requirements of  
2 §217.4 of this title (relating to Initial Application for Title) except the applicant:

3 (1) must provide the sales contract, retail installment agreement, or buyer's order  
4 in lieu of evidence of vehicle ownership as described in §217.5(a) of this title (relating to Evidence  
5 of Motor Vehicle Ownership);

6 (2) must provide the letter described by subsection (c) of this section; and

7 (3) is not required to provide a release of lien if the only recorded lienholder is the  
8 dealer that has gone out of business.

9 (e) If a title application under this section does not include a properly completed odometer  
10 disclosure statement, as required by Transportation Code, §501.072, the odometer brand will be  
11 recorded as "NOT ACTUAL MILEAGE."

12 (f) The department will waive the payment of the following fees if the applicant can  
13 provide evidence showing the fee was paid to the dealer:

14 (1) a title application fee under Transportation Code, §501.138;

15 (2) delinquent transfer penalty under Transportation Code, §501.146;

16 (3) all fees under Transportation Code, Chapter 502; and

17 (4) the fee associated with the issuance of a license plate or set of license plates

18 [~~buyer's temporary tag fee~~] under Transportation Code, §503.063.

19

20 **SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

21 **43 TAC §§217.22, 217.23, 217.25-29, 217.31, 217.33, 217.34, 217.36, 217.37, 217.40, 217.41,**

22 **217.43, 217.45, 217.46, AND 217.50-56**

23

1 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
2 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
3 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
4 Vehicles; Transportation Code §502.0024, as amended by HB 3297, which requires the department  
5 develop and implement a system of registration to allow an owner of a vehicle to register the vehicle for  
6 an extended period of not more than five years; Transportation Code §502.040, which authorizes the  
7 department to prescribe the process and procedures for applying for a motor vehicle registration;  
8 Transportation Code §502.059, which authorizes the department to adopt rules providing for an  
9 automated registration process; Transportation Code §502.095, as amended by HB 718, which gives the  
10 department authority to issue one-trip and 30-day license plates; Transportation Code §502.1911, which  
11 authorizes the board to adopt rules to set registration processing and handing fees; Transportation Code  
12 §502.451(c), which authorizes the department to adopt rules to provide for the issuance of specially  
13 designated license plates for vehicles exempt by law, and Transportation Code §502.451(f), which  
14 authorizes the department to adopt rules to provide for the issuance of regularly designed license plates  
15 not bearing the word “exempt” for a vehicle that is exempt by law. Transportation Code §504.0011,  
16 which gives the department authority to implement and administer Transportation Code, Chapter 504,  
17 License Plates; Transportation Code §504.010, which authorizes the department to adopt rules  
18 governing the placement of license plates on motor vehicles; Transportation Code §520.003, which  
19 authorizes the department to adopt rules to administer Transportation Code §520, Miscellaneous  
20 Provisions; Transportation Code §520.004, which authorizes the department to adopt rules to establish  
21 standards for uniformity and service quality for counties conducting registration and titling services;  
22 Transportation Code §520.0055, as created by HB 718, gives the department authority to mandate  
23 motor vehicle dealers use a department designated electronic system to submit title and registration

1 applications to county tax assessor-collectors for motor vehicle transactions; and Transportation Code  
2 §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to implement  
3 the powers and the duties of the department, as well as the statutes referenced throughout the this  
4 preamble.

5 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
6 §§502.0021, 502.0024, 502.040, 502.059, 502.095, 502.1911, 502.451(c), 502.451(f), 504.0011, 540.010,  
7 520.003, 520.004, 520.0055, and 1002.

8  
9 Text.

10 §217.22. Definitions.

11 The following words and terms, when used in this subchapter, shall have the following  
12 meanings, unless the context clearly indicates otherwise.

13 (1) Affidavit for alias exempt registration--A form prescribed by the director that  
14 must be executed by an exempt law enforcement agency to request the issuance of exempt  
15 registration in the name of an alias.

16 (2) Agent--A duly authorized representative possessing legal capacity to act for an  
17 individual or legal entity.

18 (3) Alias--The name of a vehicle registrant reflected on the registration, different  
19 than the name of the legal owner of the vehicle.

20 (4) Alias exempt registration--Registration issued under an alias to a specific vehicle  
21 to be used in covert criminal investigations by a law enforcement agency.

1 (5) Axle load--The total load transmitted to the road by all wheels whose centers  
2 may be included between two parallel transverse vertical planes 40 inches apart, extending across  
3 the full width of the vehicle.

4 (6) Border commercial zone--A commercial zone established under Title 49, C.F.R.,  
5 Part 372 that is contiguous to the border with Mexico.

6 (7) Bus--A motor vehicle used to transport persons and designed to accommodate  
7 more than 10 passengers, including the operator; or a motor vehicle, other than a taxicab,  
8 designed and used to transport persons for compensation.

9 (8) Carrying capacity--The maximum safe load that a commercial vehicle may carry,  
10 as determined by the manufacturer.

11 (9) Character--A numeric or alpha symbol displayed on a license plate.

12 (10) County or city civil defense agency--An agency authorized by a commissioner's  
13 court order or by a city ordinance to provide protective measures and emergency relief activities in  
14 the event of hostile attack, sabotage, or natural disaster.

15 (11) Current photo identification-- a government-issued photo identification that is  
16 currently valid or is within 12 months of the expiration date, or a state-issued personal identification  
17 certificate issued to a qualifying person if the identification states that it has no expiration.

18 (12)[(11)] Digital license plate--As defined in Transportation Code, §504.151.

19 (13)[(12)] Digital license plate owner--A digital license plate owner is a person who  
20 purchases or leases a digital license plate from a department-approved digital license plate  
21 provider.

22 (14)[(13)] Director--The director of the Vehicle Titles and Registration Division,  
23 Texas Department of Motor Vehicles.

1                    ~~(15)~~~~(14)~~ Division--Vehicle Titles and Registration Division.

2                    ~~(16)~~~~(15)~~ Executive administrator--The director of a federal agency, the director of  
3 a Texas state agency, the sheriff of a Texas county, or the chief of police of a Texas city that by law  
4 possesses the authority to conduct covert criminal investigations.

5                    ~~(17)~~~~(16)~~ Exempt agency--A governmental body exempted by statute from paying  
6 registration fees when registering motor vehicles.

7                    ~~(18)~~~~(17)~~ Exempt license plates--Specially designated license plates issued to  
8 certain vehicles owned or controlled by exempt agencies.

9                    ~~(19)~~~~(18)~~ Exhibition vehicle--

10                    (A) An assembled complete passenger car, truck, or motorcycle that:

11                    (i) is a collector's item;

12                    (ii) is used exclusively for exhibitions, club activities, parades, and  
13 other functions of public interest;

14                    (iii) does not carry advertising; and

15                    (iv) has a frame, body, and motor that is at least 25-years old; or

16                    (B) A former military vehicle as defined in Transportation Code, §504.502.

17                    ~~(20)~~~~(19)~~ Fire-fighting equipment--Equipment mounted on fire-fighting vehicles  
18 used in the process of fighting fires, including, but not limited to, ladders and hoses.

19                    ~~(21)~~~~(20)~~ Foreign commercial motor vehicle--A commercial motor vehicle, as  
20 defined by 49 C.F.R. §390.5, that is owned by a person or entity that is domiciled in or a citizen of a  
21 country other than the United States.

1                    ~~(21)~~ GPS-- A global positioning system tracking device that can be used to  
2 determine the location of a digital license plate through data collection by means of a receiver in a  
3 digital license plate.

4                    ~~(22)~~ Highway construction project--That section of the highway between the  
5 warning signs giving notice of a construction area.

6                    ~~(23)~~ International symbol of access--The symbol adopted by Rehabilitation  
7 International in 1969 at its Eleventh World Congress of Rehabilitation of the Disabled.

8                    ~~[(24) Legally blind—Having not more than 20/200 visual acuity in the better eye  
9 with correcting lenses, or visual acuity greater than 20/200 but with a limitation in the field of  
10 vision such that the widest diameter of the visual field subtends an angle no greater than 20  
11 degrees.]~~

12                    (25) Legend--A name, motto, slogan, or registration expiration notification that is  
13 centered horizontally at the bottom of the license plate.

14                    (26) Make--The trade name of the vehicle manufacturer.

15                    (27) Metal license plate--A non-digital license plate issued by the department under  
16 Transportation Code Chapter 502, 503, or Chapter 504.

17                    (28) Nonprofit organization--An unincorporated association or society or a  
18 corporation that is incorporated or holds a certificate of authority under the Business  
19 Organizations Code.

20                    (29) Nominating State Agency--A state agency authorized to accept and distribute  
21 funds from the sale of a specialty plate as designated by the nonprofit organization (sponsoring  
22 entity).

1                   (30) Optional digital license plate information--Any information authorized to be  
2 displayed on a digital license plate in addition to required digital license plate information when  
3 the vehicle is in park, including:

4                   (A) an emergency alert or other public safety alert issued by a governmental  
5 entity, including an alert authorized under Subchapter L, M, or P of Government Code Chapter 411;

6                   (B) vehicle manufacturer safety recall notices;

7                   (C) advertising; or

8                   (D) a parking permit.

9                   (31) Park--As defined in Transportation Code, §541.401.

10                  (32) Political subdivision--A county, municipality, local board, or other body of this  
11 state having authority to provide a public service.

12                  (33) Primary region of interest--The field on a metal or digital license plate with  
13 alphanumeric characters representing the plate number. The primary region of interest  
14 encompasses a field of 5.75 inches in width by 1.75 inches in height on metal license plates  
15 manufactured for motorcycles, mopeds, golf carts, or off-highway vehicles. The primary region of  
16 interest encompasses a field of 8.375 inches in width by 2.5625 inches in height on metal license  
17 plates manufactured for all other vehicles.

18                  (34) Registration period--A designated period during which registration is valid. A  
19 registration period begins on the first day of a calendar month and ends on the last day of a  
20 calendar month.

21                  (35) Required digital license plate information--The minimum information required  
22 to be displayed on a digital license plate: the registration expiration month and year (unless the  
23 vehicle is a token trailer as defined by Transportation Code, §502.001), the alphanumeric



1 characters representing the plate number, the word "Texas," the registration expiration  
2 notification if the registration for the vehicle has expired; and the legend (if applicable).

3 (36) Secondary region of interest--The field on a metal or digital license plate with  
4 the word "Texas" centered horizontally at the top of the plate. The secondary region of interest  
5 encompasses a field of 2.5 inches in width by 0.5625 inches in height on metal license plates  
6 manufactured for motorcycles, mopeds, golf carts, or off-highway vehicles. The secondary region  
7 of interest encompasses a field of 6 inches in width by 1.9375 inches in height on metal license  
8 plates manufactured for all other vehicles.

9 (37) Service agreement--A contractual agreement that allows individuals or  
10 businesses to access the department's vehicle registration records.

11 (38) Specialty license plate--A special design license plate issued by the department  
12 [~~under SA~~].

13 (39) Specialty license plate fee--Statutorily or department required fee payable on  
14 submission of an application for a specialty license plate, symbol, tab, or other device, and  
15 collected in addition to statutory motor vehicle registration fees.

16 (40) Sponsoring entity--An institution, college, university, sports team, or any other  
17 non-profit individual or group that desires to support a particular specialty license plate by  
18 coordinating the collection and submission of the prescribed applications and associated license  
19 plate fees or deposits for that particular license plate.

20 (41) Street or suburban bus--A vehicle, other than a passenger car, used to  
21 transport persons for compensation exclusively within the limits of a municipality or a suburban  
22 addition to a municipality.

1 (42) Tandem axle group--Two or more axles spaced 40 inches or more apart from  
2 center to center having at least one common point of weight suspension.

3 (43) Unconventional vehicle--A vehicle built entirely as machinery from the ground  
4 up, that is permanently designed to perform a specific function, and is not designed to transport  
5 property.

6 (44) Vehicle classification--The grouping of vehicles in categories for the purpose of  
7 registration, based on design, carrying capacity, or use.

8 (45) Vehicle description--Information regarding a specific vehicle, including, but not  
9 limited to, the vehicle make, model year, body style, and vehicle identification number.

10 (46) Vehicle identification number--A number assigned by the manufacturer of a  
11 motor vehicle or the department that describes the motor vehicle for purposes of identification.

12 ~~[(47) Vehicle inspection sticker--A sticker issued by the Texas Department of Public  
13 Safety signifying that a vehicle has passed all applicable safety and emissions tests.]~~

14 (47)~~[(48)]~~ Vehicle registration insignia--A license plate, symbol, tab, or other device  
15 issued by the department evidencing that all applicable fees have been paid for the current  
16 registration period and allowing the vehicle to be operated on the public highways.

17 (48)~~[(49)]~~ Vehicle registration record--Information contained in the department's  
18 files that reflects, but is not limited to, the make, vehicle identification number, model year, body  
19 style, license number, and the name of the registered owner.

20 (49)~~[(50)]~~ Volunteer fire department--An association that is organized for the  
21 purpose of answering fire alarms, extinguishing fires, and providing emergency medical services.

22

23 §217.23. Initial Application for Vehicle Registration.

1 (a) An applicant for initial vehicle registration must file an application on a form prescribed  
2 by the department. The form will at a minimum require:

3 (1) the signature of the owner;

4 (2) the motor vehicle description, including, but not limited to, the motor vehicle's  
5 year, make, model, vehicle identification number, body style, carrying capacity for commercial  
6 motor vehicles, and empty weight;

7 (3) the license plate number;

8 (4) the odometer reading, or the word "exempt" if the motor vehicle is exempt  
9 from federal and state odometer disclosure requirements;

10 (5) the name and complete address of the applicant; and

11 (6) the name, mailing address, and date of any liens.

12 (b) The application must be accompanied by the following:

13 (1) evidence of vehicle ownership as specified in §217.5 of this title (relating to  
14 Evidence of Motor Vehicle Ownership) [~~Transportation Code, §501.030~~], unless the vehicle has  
15 been issued a nonrepairable or salvage vehicle title in accordance with Transportation Code,  
16 Chapter 501, Subchapter E;

17 (2) registration fees prescribed by law;

18 (3) any local fees or other fees prescribed by law and collected in conjunction with  
19 registering a vehicle;

20 (4) evidence of financial responsibility required by Transportation Code, §502.046,  
21 unless otherwise exempted by law;

22 (5) the processing and handling fee prescribed by §217.183 of this title (relating to  
23 Fee Amount); and

1 (6) any other documents or fees required by law.

2 (c) An initial application for registration must be filed with the tax assessor-collector of the  
3 county in which the owner resides or any county tax assessor-collector who is willing to accept the  
4 application, except as provided in subsection (d) of this section.

5 (d) An application for registration, as a prerequisite to filing an application for title, may be  
6 filed with the county tax assessor-collector in the county in which:

7 (1) the owner resides;

8 (2) the motor vehicle is purchased or encumbered; or

9 (3) a county tax assessor-collector who is willing to accept the application.

10

11 §217.25. Out-of-State Vehicles.

12 A vehicle brought to Texas from out-of-state must be registered within 30 days of the date  
13 on which the owner establishes residence or secures gainful employment, except as provided by  
14 Transportation Code, §502.090 and Transportation Code, §502.145. Accompanying a completed  
15 application, an applicant must provide:

16 (1) an application for title as required by Transportation Code, Chapter 501, if the  
17 vehicle to be registered has not been previously titled in this state; and

18 (2) any other documents or fees required by law.

19

20 §217.26. Identification Required.

21 (a) An application for initial registration is not acceptable unless the applicant presents a  
22 current photo identification of the owner containing a unique identification number and expiration  
23 date. The current photo identification [~~document~~] must be a:

1 (1) driver's license or state identification certificate issued by a state or territory of  
2 the United States;

3 (2) United States or foreign passport;

4 (3) United States military identification card;

5 (4) North Atlantic Treaty Organization identification or identification issued under a  
6 Status of Forces Agreement;

7 (5) United States Department of Homeland Security, United States Citizenship and  
8 Immigration Services, or United States Department of State identification document; or

9 (6) ~~concealed handgun license or~~ license to carry a handgun issued by the Texas  
10 Department of Public Safety under Government Code, Chapter 411, Subchapter H.

11 (b) If the motor vehicle is titled in:

12 (1) more than one name, then the identification of one owner must be presented;

13 (2) the name of a leasing company, then:

14 (A) proof of the Federal Employer Identification Number/Employee  
15 Identification Number (FEIN/EIN) of the leasing company must be submitted, written on the  
16 application, and can be entered into the department's titling system. The number must correspond  
17 to the name of the leasing company in which the vehicle is being titled; and

18 (B) the leasing company may submit:

19 (i) a current ~~government-issued~~ photo identification, required  
20 under this section, of the lessee listed as the registrant; or

21 (ii) a current ~~government-issued~~ photo identification, required  
22 under this section, of the employee or authorized agent who signed the application for the leasing  
23 company, and the employee's or authorized agent's employee identification, letter of

1 authorization written on the lessor's letterhead, or a printed business card. The printed business  
2 card, employee identification, or letter of authorization written on the lessor's letterhead must  
3 contain the name of the lessor, and the employee's or authorized agent's name must match the  
4 name on the current [~~government-issued~~] photo identification;

5 (3) the name of a trust, then a current [~~government-issued~~] photo identification,  
6 required under this section, of a trustee must be presented; or

7 (4) the name of a business, government entity, or organization, then:

8 (A) proof of the Federal Employer Identification Number/Employee  
9 Identification Number (FEIN/EIN) of the business, government entity, or organization must be  
10 submitted, written on the application, and can be entered into the department's titling system.

11 The number must correspond to the name of the business, government entity, or organization in  
12 which the vehicle is being titled;

13 (B) the employee or authorized agent must present a current [~~government~~  
14 ~~issued~~] photo identification, required under this section; and

15 (C) the employee's or authorized agent's employee identification; letter of  
16 authorization written on the business', government entity's, or organization's letterhead; or a  
17 printed business card. The printed business card, employee identification, or letter of  
18 authorization written on the business', government entity's, or organization's letterhead must  
19 contain the name of the business, governmental entity, or organization, and the employee's or  
20 authorized agent's name must match the name on the current [~~government-issued~~] photo  
21 identification.

1           ~~[(c) Within this section, "current" is defined as not to exceed 12 months after the~~  
2 ~~expiration date, except that a state-issued personal identification certificate issued to a qualifying~~  
3 ~~person is considered current if the identification states that it has no expiration.]~~

4           (c)[(d)] Within this section, an identification document such as a printed business card,  
5 letter of authorization, or power of attorney, may be an original or photocopy.

6           (d)[(e)] A person who holds a general distinguishing number issued under Transportation  
7 Code, Chapter 503 ~~[or Occupations Code, Chapter 2301,]~~ is exempt from submitting to the county  
8 tax assessor-collector, but must retain:

- 9                   (1) the owner's identification, as required under this section; and  
10                   (2) authorization to sign, as required under this section.

11           (e)[(f)] A person who holds a general distinguishing number issued under Transportation  
12 Code, Chapter 503 ~~[or Occupations Code, Chapter 2301,]~~ is not required to submit photo  
13 identification or authorization for an employee or agent signing a title assignment with a secure  
14 power of attorney.

15           (f)[(g)] This section does not apply to non-titled vehicles.

16

17 §217.27. Vehicle Registration Insignia.

18           (a) On receipt of a complete initial application for registration with the accompanying  
19 documents and fees, the department will issue vehicle registration insignia to be displayed on or  
20 kept in the vehicle for which the registration was issued for the current registration period.

21                   (1) If the vehicle has a windshield, the vehicle registration insignia~~[the symbol, tab,~~  
22 ~~or other device prescribed by and issued by the department]~~ shall be attached to the inside lower

1 left corner of the vehicle's front windshield in a manner that will not obstruct the vision of the  
2 driver, unless the vehicle is registered under Transportation Code, Chapter 504, Subchapter B-1.

3 (2) If the vehicle has no windshield, the symbol, tab, or other device prescribed by  
4 and issued by the department shall be attached to the rear license plate unless the vehicle is  
5 registered under Transportation Code, Chapter 504, Subchapter B-1, except that registration  
6 receipts, retained inside the vehicle, may provide the record of registration for vehicles with  
7 permanent trailer plates.

8 (3) If the vehicle is registered under Transportation Code, Chapter 504, Subchapter  
9 B-1, the registration receipt, symbol, tab, or other device prescribed by and issued by the  
10 department must be retained with the vehicle and may provide the record of registration for  
11 vehicles with a digital license plate. The expiration month and year must appear digitally on the  
12 electronic visual display of the rear digital license plate.

13 (4) If the vehicle is registered as a former military vehicle as prescribed by  
14 Transportation Code, §504.502, the vehicle's registration number shall be displayed instead of  
15 displaying a symbol, tab, or license plate.

16 (A) Former military vehicle registration numbers shall be displayed on a  
17 prominent location on the vehicle in numbers and letters of at least two inches in height.

18 (B) To the extent possible, the location and design of the former military  
19 vehicle registration number must conform to the vehicle's original military registration number.

20 (b) Unless otherwise prescribed by law, each vehicle registered under this subchapter:

21 (1) must display two license plates that are clearly visible, readable, and legible,  
22 one at the exterior front and one at the exterior rear of the vehicle that are securely fastened at  
23 the exterior front and rear of the vehicle in an upright horizontal position of not less than 12



1 inches from the ground, measuring from the bottom[, ~~except that a vehicle described by~~  
2 ~~Transportation Code, §621.2061 may place the rear plate so that it is clearly visible, readable, and~~  
3 ~~legible~~]; or

4 (2) must display one plate that is securely fastened at or as close as practical to the  
5 exterior rear of the vehicle in a position not less than 12 inches from the ground, measuring from  
6 the bottom if the vehicle is a road tractor, motorcycle, trailer or semitrailer, except that a vehicle  
7 described by Transportation Code, §621.2061 may place the rear plate so that it is clearly visible,  
8 readable, and legible.

9 (c) Each vehicle registered under this subchapter must display license plates:

10 (1) assigned by the department for the period; or

11 (2) validated by a registration insignia issued by the department for a registration  
12 period consisting of 12 consecutive months at the time of application for registration, except that:

13 (A) vehicles described by Transportation Code, §502.0024 [~~trailers,~~  
14 ~~semitrailers, or pole trailers not subject to inspection under §548.052(3)~~] may obtain a registration  
15 insignia for a period consisting of 12, 24, 36, 48 or 60 consecutive months on payment of all fees  
16 for each full year of registration; and

17 (B) vehicles may be registered for 24 consecutive months in accordance  
18 with Transportation Code, §548.102 on payment of all fees for each year of registration, regardless  
19 of the number of months remaining on the inspection at the time of registration, provided:

20 (i) the vehicle receives a two-year inspection under Transportation  
21 Code, §548.102; and

22 (ii) the application for registration is made in the name of the  
23 purchaser under Transportation Code, §501.0234.

1 (d) The department may cancel any license plate issued with a personalized license plate  
2 number [~~alphanumeric pattern~~] if the department subsequently determines or discovers that the  
3 personalized license plate number [~~alphanumeric pattern~~] did not comply with this section when  
4 the license plate was issued, or if due to changing language usage, meaning, or interpretation, the  
5 personalized license plate number [~~alphanumeric pattern~~] no longer complies with this section.  
6 When reviewing a personalized license plate number [~~alphanumeric pattern~~], the department need  
7 not consider the applicant's subjective intent or declared meaning. The department will not issue  
8 any license plate containing a personalized license plate number [~~alphanumeric pattern~~] that  
9 meets one or more of the following criteria:

10 (1) The license plate number [~~alphanumeric pattern~~] conflicts with the  
11 department's current or proposed general issue [~~regular~~] license plate numbering system.

12 (2) The director or the director's designee finds that the personalized license plate  
13 number [~~alphanumeric pattern~~] may be considered objectionable. An objectionable license plate  
14 number [~~alphanumeric pattern~~] may include words, [~~or~~] phrases, or slang in any language;  
15 phonetic, numeric, or reverse spelling; acronyms; patterns viewed in mirror image; or code that  
16 only a small segment of the community may be able to readily decipher. An objectionable pattern  
17 may be viewed as:

18 (A) indecent (defined as including a direct reference or connotation to a  
19 sexual act, sexual body parts, excreta, or sexual bodily fluids or functions. Additionally, the license  
20 plate number [~~alphanumeric pattern~~] "69" is prohibited unless used with the full year (1969) or in  
21 combination with a reference to a vehicle;

22 (B) vulgar, directly or indirectly (defined as profane, swear, or curse words);

1 (C) derogatory, directly or indirectly (defined as an expression that is  
2 demeaning to, belittles, or disparages any person, group, race, ethnicity, nationality, gender, or  
3 sexual orientation. "Derogatory" may also include a reference to an organization that advocates  
4 the expressions described in this subparagraph);

5 (D) a direct or indirect negative instruction or command directed at another  
6 individual related to the operation of a motor vehicle;

7 (E) a direct or indirect reference to gangs, illegal activities, implied threats  
8 of harm, or expressions that describe, advertise, advocate, promote, encourage, glorify, or  
9 condone violence, crime, or unlawful conduct;

10 (F) a direct or indirect reference to controlled substances or the  
11 physiological state produced by such substances, intoxicated states, or a direct or indirect  
12 reference that may express, describe, advertise, advocate, promote, encourage, or glorify such  
13 substances or states;

14 (G) a direct representation of law enforcement or other governmental  
15 entities, including any reference to a public office or position exclusive to government; or

16 (H) a pattern that could be misread by law enforcement.

17 (3) The license plate number [~~alphanumeric pattern~~] is currently on a license plate  
18 issued to another owner.

19 (e) Notwithstanding the provisions of this section, the department may issue license plates  
20 with personalized license plate numbers [~~alphanumeric patterns~~] that refer to:

21 (1) military branches, military rank, military units, military equipment, or status; or

22 (2) institutions of higher education, including military academies, whether funded  
23 privately, by the state, or by the federal government.

1 (f) A decision to cancel or not to issue a license plate with a personalized license plate  
2 number [~~alphanumeric pattern~~] under subsection (d) of this section may be appealed to the  
3 executive director of the department or the executive director's designee within 20 days of  
4 notification of the cancellation or non-issuance. All appeals must be in writing, and the requesting  
5 party may include any written arguments, but shall not be entitled to a contested case hearing.  
6 The executive director or the executive director's designee will issue a decision no later than 30  
7 days after the department receives the appeal, unless additional information is sought from the  
8 requestor, in which case the time for decision is tolled until the additional information is provided.  
9 The decision of the executive director or the executive director's designee is final and may not be  
10 appealed to the board. An appeal to the executive director or the executive director's designee is  
11 denied by operation of law 31 days from the receipt of the appeal, or if the requestor does not  
12 provide additional requested information within ten days of the request.

13 (g) The provisions of subsection (a) of this section do not apply to vehicles registered with  
14 annual license plates issued by the department.

15 (h) A person whose initial application has been denied will receive a refund if the denial is  
16 not appealed in accordance with subsection (f) of this section. If an existing license plate with a  
17 personalized license plate number [~~alphanumeric pattern~~] has been canceled, the person may  
18 choose a new personalized license plate number [~~alphanumeric pattern~~] that will be valid for the  
19 remainder of the term, or the remaining term of the canceled license plate will be forfeited.

20

21 §217.28. Vehicle Registration Renewal.

1           (a) To renew vehicle registration, a vehicle owner must apply to the tax assessor-collector  
2 of the county in which the owner resides or a county tax assessor-collector who is willing to accept  
3 the application.

4           (b) The department will send a registration renewal notice, indicating the proper  
5 registration fee and the month and year the registration expires, to each vehicle owner prior to the  
6 expiration of the vehicle's registration.

7           (c) The registration renewal notice should be returned by the vehicle owner to the county  
8 tax assessor-collector in the county in which the owner resides or a county tax assessor-collector  
9 who is willing to accept the application, or to that tax assessor-collector's deputy, either in person  
10 or by mail, unless the vehicle owner renews via the Internet. The renewal notice must be  
11 accompanied by the following documents and fees:

12                   (1) registration renewal fees prescribed by law;

13                   (2) any local fees or other fees prescribed by law and collected in conjunction with  
14 registration renewal; and

15                   (3) evidence of financial responsibility required by Transportation Code, §502.046,  
16 unless otherwise exempted by law.

17           (d) If a registration renewal notice is lost, destroyed, or not received by the vehicle owner,  
18 the vehicle may be registered if the owner presents personal identification acceptable to the  
19 county tax assessor-collector or via the Internet. Failure to receive the notice does not relieve the  
20 owner of the responsibility to renew the vehicle's registration.

21           (e) Renewal of expired vehicle registrations.

1           ~~[(1) In accordance with Transportation Code, §502.407, a vehicle with an expired~~  
2 ~~registration may not be operated on the highways of the state after the fifth working day after the~~  
3 ~~date a vehicle registration expires.]~~

4           (1)~~[(2)]~~ If the owner has been arrested or cited for operating the vehicle without  
5 valid registration then a 20% delinquency penalty is due when registration is renewed, the full  
6 annual fee will be collected, and the vehicle registration expiration month will remain the same.

7           (2)~~[(3)]~~ If the county tax assessor-collector or the department determines that a  
8 registrant has a valid reason for being delinquent in registration, the vehicle owner will be  
9 required to pay for 12 months' registration. Renewal will establish a new registration expiration  
10 month that will end on the last day of the eleventh month following the month of registration  
11 renewal.

12           (3)~~[(4)]~~ If the county tax assessor-collector or the department determines that a  
13 registrant does not have a valid reason for being delinquent in registration, the full annual fee will  
14 be collected and the vehicle registration expiration month will remain the same.

15           (4)~~[(5)]~~ Specialty license plates, symbols, tabs, or other devices may be prorated as  
16 provided in §217.45(d)(2) of this title (relating to Specialty License Plates, Symbols, Tabs, and  
17 Other Devices).

18           (5)~~[(6)]~~ Evidence of a valid reason may include receipts, passport dates, and military  
19 orders. Valid reasons may include:

- 20                   (A) extensive repairs on the vehicle;
- 21                   (B) the person was out of the country;
- 22                   (C) the vehicle is used only for seasonal use;
- 23                   (D) military orders;

- 1 (E) storage of the vehicle;
- 2 (F) a medical condition such as an extended hospital stay; and
- 3 (G) any other reason submitted with evidence that the county tax assessor-
- 4 collector or the department determines is valid.

5 (6) The operation of a vehicle with an expired registration that has been stored or

6 otherwise not in operation that is driven only to an inspection station for the purpose of obtaining

7 an inspection, if applicable, required for registration, will not affect the determination of whether

8 the registrant has a valid or invalid reason for being delinquent.

9 (f) For purposes of Transportation Code §502.407(c), the county tax assessor-collector's

10 office of the county in which the owner resides is closed for a protracted period of time if the

11 county tax assessor-collector's office has notified the department that it is closed or will be closed

12 for more than one week.

13

14 §217.29. Vehicle Registration Renewal via Internet.

15 (a) Internet registration renewal program. The department will maintain a uniform Internet

16 registration renewal process. This process will provide for the renewal of vehicle registrations via

17 the Internet and will be in addition to vehicle registration procedures provided for in §217.28 of

18 this title (relating to Vehicle Registration Renewal). The Internet registration renewal program will

19 be facilitated by a third-party vendor.

20 (b) County participation in program. All county tax assessor-collectors shall process

21 registration renewals through an online system designated by the department.

1 (c) Eligibility of individuals for participation. To be eligible to renew a vehicle's registration  
2 via the Internet, the vehicle owner must meet all criteria for registration renewal outlined in this  
3 subchapter and in Transportation Code, Chapter 502.

4 ~~[(d) Fees. This subsection applies to vehicle registrations expiring prior to January 1, 2017~~  
5 ~~that are submitted for renewal prior to July 1, 2017. A vehicle owner who renews registration via~~  
6 ~~the Internet must pay:]~~

7 ~~[(1) registration fees prescribed by law;]~~

8 ~~[(2) any local fees or other fees prescribed by law and collected in conjunction with~~  
9 ~~registering a vehicle;]~~

10 ~~[(3) a fee of \$1 for the processing of a registration renewal by mail in accordance~~  
11 ~~with Transportation Code, §502.197(a); and]~~

12 ~~[(4) a convenience fee of \$2 for the processing of an electronic registration renewal~~  
13 ~~paid by a credit card payment in accordance with Transportation Code, §1001.009.]~~

14 (d)~~[(e)]~~ Information to be submitted by vehicle owner. A vehicle owner who renews  
15 registration via the Internet must submit or verify the following information:

16 (1) registrant information, including the vehicle owner's name and county of  
17 residence;

18 (2) vehicle information, including the license plate number of the vehicle to be  
19 registered;

20 (3) insurance information, including the name of the insurance company, the name  
21 of the insurance company's agent (if applicable), the telephone number of the insurance company  
22 or agent (local or toll free number serviced Monday through Friday 8:00 a.m. to 5:00 p.m.), the  
23 insurance policy number, and representation that the policy meets all applicable legal standards;



1 (4) credit card information, including the type of credit card, the name appearing  
2 on the credit card, the credit card number, and the expiration date; and

3 (5) other information prescribed by rule or statute.

4 ~~[(f) Duties of the county. For vehicle registrations that expire prior to January 1, 2017 that  
5 are submitted for renewal prior to July 1, 2017, a county tax assessor-collector shall:]~~

6 ~~[(1) accept electronic payment for vehicle registration renewal via the Internet;]~~

7 ~~[(2) execute an agreement with the department as provided by the director;]~~

8 ~~[(3) process qualified Internet registration renewal transactions as submitted by the  
9 third-party vendor;]~~

10 ~~[(4) communicate with the third-party vendor and applicants via email, regular  
11 mail, or other means, as specified by the director;]~~

12 ~~[(5) promptly mail renewal registration validation stickers and license plates to  
13 applicants;]~~

14 ~~[(6) ensure that all requirements for registration renewal are met, including all  
15 requirements set forth in this subchapter, and in Transportation Code, Chapter 502;]~~

16 ~~[(7) reject applications that do not meet all requirements set forth in this chapter,  
17 and in Transportation Code, Chapter 502; and]~~

18 ~~[(8) register each vehicle for a 12-month period.]~~

19 (e)~~[(g)]~~ Duties of the county. ~~[For vehicle registrations that expire on or after January 1,  
20 2017, and registrations that expired prior to January 1, 2017 that are submitted for renewal on or  
21 after July 1, 2017,]~~ A~~[a]~~ county tax assessor-collector shall:

22 (1) accept electronic payment for vehicle registration renewal via the Internet;

23 (2) execute an agreement with the department as provided by the director;

1 (3) process qualified Internet registration renewal transactions as submitted by the  
2 third-party vendor;

3 (4) communicate with the third-party vendor and applicants via email, regular mail,  
4 or other means, as specified by the director;

5 (5) reject applications that do not meet all requirements set forth in this chapter,  
6 and in Transportation Code, Chapter 502; and

7 (6) register each vehicle for a 12-month period.

8 ~~(f)(h)~~ Duties of the department. For vehicle registration renewals ~~[registrations]~~ that are  
9 submitted via the Internet, the department and its centralized third-party vendor shall promptly  
10 facilitate and mail vehicle registration insignias to applicants ~~[expire on or after January 1, 2017,~~  
11 ~~and registrations that expired prior to January 1, 2017 that are submitted for renewal on or after~~  
12 ~~July 1, 2017, the department shall promptly mail renewal registration validation stickers and~~  
13 ~~license plates to applicants].~~

14  
15 §217.31. Heavy Vehicle Use Tax.

16 (a) As applicable, an applicant must provide proof of payment of the heavy vehicle use tax  
17 imposed by 26 U.S.C. §4481, et seq. and 26 C.F.R. Part 41 with an application under this chapter as  
18 required by 26 C.F.R. §41.6001-2.

19 (b) The department adopts by reference 26 C.F.R. §41.6001-2.

20  
21 §217.33. Commercial Farm Motor Vehicles, Farm Trailers, and Farm Semitrailers.

22 (a) An applicant must provide a properly completed application for farm license plates.  
23 Except as provided by subsection (d) of this section, the application must be accompanied by proof

1 of the applicant's Texas Agriculture or Timber Exemption Registration Number issued by the Texas  
2 Comptroller of Public Accounts. Proof of the registration number must be:

3 (1) legible;

4 (2) current; and

5 (3) in the name of the person or dba in which the vehicle is or will be registered,  
6 pursuant to Transportation Code, §502.146 and §502.433.

7 (b) A registration renewal of farm license plates must be accompanied by proof of the  
8 applicant's Texas Agriculture or Timber Exemption Registration Number issued by the Texas  
9 Comptroller of Public Accounts.

10 (c) In accordance with Transportation Code, §502.146 and §502.433, an applicant's Texas  
11 Agriculture or Timber Exemption Registration Number may be verified through the online system  
12 established by the Comptroller.

13 (d) A farmers' cooperative society incorporated under Agriculture Code, Chapter 51, or a  
14 marketing association organized under Agriculture Code, Chapter 52 applying for or renewing the  
15 registration of farm license plates under this section is not required to submit proof of the  
16 applicant's Texas Agriculture or Timber Exemption Registration issued by the Texas Comptroller of  
17 Public Accounts.

18

19 §217.36. Refusal to Register by Local Government and Record Notation.

20 (a) Enforcement of traffic warrant. A municipality may enter into a contract with the  
21 department under Government Code, Chapter 791, to indicate in the state's motor vehicle records  
22 that the owner of the vehicle is a person for whom a warrant of arrest is outstanding for failure to  
23 appear or who has failed to pay a fine on a complaint involving a violation of a traffic law. In

1 accordance with Transportation Code, §702.003, a county tax assessor-collector may refuse to  
2 register a motor vehicle if such a failure is indicated in the motor vehicle record for that motor  
3 vehicle. A municipality is responsible for obtaining the agreement of the county in which the  
4 municipality is located to refuse to register motor vehicles for failure to pay civil penalties imposed  
5 by the municipality.

6 (b) Refusal to register vehicle in certain counties. A county may enter into a contract with  
7 the department under Government Code, Chapter 791 to indicate in the state's motor vehicle  
8 records that the owner of the vehicle has failed to pay a fine, fee, or tax that is past due. In  
9 accordance with Transportation Code, §502.010, a county tax assessor-collector may refuse to  
10 register a motor vehicle if such a failure is indicated in the motor vehicle record for that motor  
11 vehicle.

12 (c) Record notation. A contract between the department and a county, municipality, or  
13 local authority entered into under Transportation Code §502.010 or Transportation Code §702.003  
14 will contain the terms set out in this subsection.

15 (1) To place or remove a registration denial flag on a vehicle record, the contracting  
16 entity must submit data electronically by secure file transfer protocol [~~a magnetic tape~~] or other  
17 acceptable submission medium as determined by the department in a format prescribed by the  
18 department.

19 (2) The information submitted by the contracting entity will include, at a minimum,  
20 the vehicle identification number and the license plate number of the affected vehicle.

21 (3) If the contracting entity data submission contains bad or corrupted data, the  
22 submission medium will be returned to the contracting entity with no further action by the  
23 department.

1                   (4) The secure file transfer protocol [~~magnetic tape~~] or other submission medium  
2 must be submitted to the department from a single source within the contracting entity.

3                   (5) The submission of a secure file transfer protocol [~~magnetic tape~~] or other  
4 submission medium to the department by a contracting entity constitutes a certification by that  
5 entity that it has complied with all applicable laws.

6

7 §217.37. Fees.

8                   [~~(a)~~] The department and the county will charge required fees, and only those fees  
9 provided by statute or rule.

10                   [~~(b) A \$2 fee for a duplicate registration receipt will be charged if a receipt is printed for~~  
11 ~~the customer.~~]

12

13 §217.40. Special Registrations.

14                   (a) Purpose and scope. Transportation Code, Chapter 502, Subchapters C and I, charge the  
15 department with the responsibility of issuing special registration permits and special registration  
16 license plates, which shall be recognized as legal registration for the movement of motor vehicles  
17 not authorized to travel on Texas public highways for lack of registration or for lack of reciprocity  
18 with the state or country in which the vehicles are registered. For the department to efficiently  
19 and effectively perform these duties, this section prescribes the policies and procedures for the  
20 application and the issuance of special [~~temporary~~] registration permits and special registration  
21 license plates.

22                   (b) Permit categories. The department will issue the following categories of special  
23 registration permits.

1 (1) Additional weight permits in accordance with Transportation Code, §502.434.

2 ~~[The owner of a truck, truck tractor, trailer, or semitrailer may purchase temporary additional~~  
3 ~~weight permits for the purpose of transporting the owner's own seasonal agricultural products to~~  
4 ~~market or other points for sale or processing in accordance with Transportation Code, §502.434. In~~  
5 ~~addition, such vehicles may be used for the transportation without charge of seasonal laborers~~  
6 ~~from their place of residence, and materials, tools, equipment, and supplies from the place of~~  
7 ~~purchase or storage, to a farm or ranch exclusively for use on such farm or ranch.]~~

8 [(A) Additional weight permits are valid for a limited period of less than one  
9 year.]

10 [(B) An additional weight permit will not be issued for a period of less than  
11 one month or extended beyond the expiration of a license plate issued under Transportation Code,  
12 Chapter 502.]

13 [(C) The statutory fee for an additional weight permit is based on a  
14 percentage of the difference between the owner's annual registration fee and the annual fee for  
15 the desired gross vehicle weight computed as follows:]

16 [(i) one month (or 30 consecutive days) 10%;]

17 [(ii) one quarter (three consecutive months) 30%;]

18 [(iii) two quarters (six consecutive months) 60%; or]

19 [(iv) three quarters (nine consecutive months) 90%.]

20 [(D) Additional weight permits are issued for calendar quarters with the first  
21 quarter to begin on April 1st of each year.]

22 (A)[(E)] A permit will not be issued unless the registration fee for hauling  
23 the additional weight has been paid prior to the actual hauling.

1                    ~~(B)~~~~(F)~~ An applicant must provide proof of the applicant's Texas Agriculture  
2 or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts.

3 Proof of the registration number must be:

4                    (i) legible;

5                    (ii) current;

6                    (iii) in the name of the person or dba in which the vehicle is or will  
7 be registered; and

8                    (iv) verifiable through the online system established by the  
9 Comptroller.

10                    (2) Annual permits in accordance with Transportation Code, §502.093.

11                    ~~(A) [Transportation Code, §502.093 authorizes the department to issue~~  
12 ~~annual permits to provide for the movement of foreign commercial vehicles that are not~~  
13 ~~authorized to travel on Texas highways for lack of registration or for lack of reciprocity with the~~  
14 ~~state or country in which the vehicles are registered.]~~ The department will issue annual permits:

15                    (i) for a 12-month period designated by the department which  
16 begins on the first day of a calendar month and expires on the last day of the last calendar month  
17 in that annual registration period; and

18                    (ii) to each vehicle or combination of vehicles for the registration  
19 fee prescribed by weight classification in Transportation Code, §502.253 and §502.255.

20                    ~~[(B) The department will not issue annual permits for the importation of~~  
21 ~~citrus fruit into Texas from a foreign country except for foreign export or processing for foreign~~  
22 ~~export.]~~

1                            (B)[(C)] The following exemptions apply to vehicles displaying annual  
2 permits.

3                            (i) Currently registered foreign semitrailers having a gross weight in  
4 excess of 6,000 pounds used or to be used in combination with commercial motor vehicles or truck  
5 tractors having a gross vehicle weight in excess of 10,000 pounds are exempted from the  
6 requirements to pay the token fee and display the associated distinguishing license plate provided  
7 for in Transportation Code, §502.255. An annual permit is required for the power unit only. For  
8 vehicles registered in combination, the combined gross weight may not be less than 18,000  
9 pounds.

10                           (C) Upon approval of an application, the department will issue one license  
11 plate for a trailer, semitrailer, or foreign commercial motor vehicle as defined in Transportation  
12 Code, §648.001(4). The license plate issued to a truck-tractor shall be installed on the front of the  
13 truck-tractor. For other types of vehicles, the license plate issued shall displayed as required by  
14 §217.27(b) of this title (relating to Vehicle Registration Insignia).

15                           ~~[(ii) Vehicles registered with annual permits are not subject to the~~  
16 ~~optional county registration fee under Transportation Code, §502.401; the optional county fee for~~  
17 ~~transportation projects under Transportation Code, §502.402; or the optional registration fee for~~  
18 ~~child safety under Transportation Code, §502.403.]~~

19                           (3) 72-hour permits and 144-hour permits in accordance with Transportation Code,  
20 §502.094.

21                           ~~[(A) In accordance with Transportation Code, §502.094, the department will~~  
22 ~~issue a permit valid for 72 hours or 144 hours for the movement of commercial motor vehicles,~~



1 trailers, semitrailers, and motor buses owned by residents of the United States, Mexico, or  
2 Canada.]

3 [(B) A 72-hour permit or a 144-hour permit is valid for the period of time  
4 stated on the permit beginning with the effective day and time as shown on the permit registration  
5 receipt.]

6 [(C) Vehicles displaying 72-hour permits or 144-hour permits are subject to  
7 vehicle safety inspection in accordance with Transportation Code, §548.051, except for:]

8 [(i) vehicles currently registered in another state of the United  
9 States, Mexico, or Canada; and]

10 [(ii) mobile drilling and servicing equipment used in the production  
11 of gas, crude petroleum, or oil, including, but not limited to, mobile cranes and hoisting  
12 equipment, mobile lift equipment, forklifts, and tugs.]

13 [(D) The department will not issue a 72-hour permit or a 144-hour permit to  
14 a commercial motor vehicle, trailer, semitrailer, or motor bus apprehended for violation of Texas  
15 registration laws. Apprehended vehicles must be registered under Transportation Code, Chapter  
16 502.]

17 [(4) Temporary agricultural permits.]

18 [(A) Transportation Code, §502.092 authorizes the department to issue a  
19 30-day temporary nonresident registration permit to a nonresident for any truck, truck tractor,  
20 trailer, or semitrailer to be used in the movement of all agriculture products produced in Texas:]

21 [(i) from the place of production to market, storage, or railhead not  
22 more than 75 miles from the place of production; or]

1                                   ~~[(ii) to be used in the movement of machinery used to harvest~~  
2 ~~Texas-produced agricultural products.]~~

3                                   ~~[(B) The department will issue a 30-day temporary nonresident registration~~  
4 ~~permit to a nonresident for any truck, truck tractor, trailer, or semitrailer used to move or harvest~~  
5 ~~farm products, produced outside of Texas, but:]~~

6                                   ~~[(i) marketed or processed in Texas; or]~~

7                                   ~~[(ii) moved to points in Texas for shipment from the point of entry~~  
8 ~~into Texas to market, storage, processing plant, railhead or seaport not more than 80 miles from~~  
9 ~~such point of entry into Texas.]~~

10                                  ~~[(C) The statutory fee for temporary agricultural permits is one-twelfth of~~  
11 ~~the annual Texas registration fee prescribed for the vehicle for which the permit is issued.]~~

12                                  ~~[(D) The department will issue a temporary agricultural permit only when~~  
13 ~~the vehicle is legally registered in the nonresident's home state or country for the current~~  
14 ~~registration year.]~~

15                                  ~~[(E) The number of temporary agricultural permits is limited to three~~  
16 ~~permits per nonresident owner during any one vehicle registration year.]~~

17                                  ~~[(F) Temporary agricultural permits may not be issued to farm licensed~~  
18 ~~trailers or semitrailers.]~~

19                                  (c) License plate categories. The department will issue the following categories of special  
20 registration license plates.

21                                  ~~(1) [(5)] One-trip license plates [permits] in accordance with Transportation Code,~~  
22 ~~§502.095, [authorizes the department to temporarily register any unladen vehicle upon application~~  
23 ~~to provide for the movement of the vehicle for one trip, when the vehicle is subject to Texas~~

1 ~~registration and not authorized to travel on the public roadways for lack of registration or lack of~~  
2 ~~registration reciprocity.]~~

3 ~~[(A) Upon receipt of the \$5 fee, registration will be valid for one trip only~~  
4 ~~between the points of origin and destination and intermediate points as may be set forth in the~~  
5 ~~application and registration receipt.]~~

6 ~~[(B) The department will issue a one-trip permit to a bus which is not~~  
7 ~~covered by a reciprocity agreement with the state or country in which it is registered to allow for~~  
8 ~~the transit of the vehicle only. The vehicle should not be used for the transportation of any~~  
9 ~~passenger or property, for compensation or otherwise, unless such bus is operating under charter~~  
10 ~~from another state or country.]~~

11 ~~[(C) A one-trip permit is valid for a period up to 15 days from the effective~~  
12 ~~date of registration.]~~

13 ~~(A)[(D)] A one-trip license plate[permit] may not be issued for a trip which~~  
14 ~~both originates and terminates outside Texas.~~

15 ~~(B)[(E)] A laden motor vehicle or a laden commercial vehicle cannot display~~  
16 ~~a one-trip license plate[permit]. If the vehicle is unregistered, it must operate with a 72-hour or~~  
17 ~~144-hour permit.~~

18 ~~(C) A one-trip license plate must be displayed as required by §217.27(b) of~~  
19 ~~this title (relating to Vehicle Registration Insignia).~~

20 ~~(2)[(6)] 30-day license plates [temporary registration permits] in accordance with~~  
21 ~~Transportation Code, §502.095 [authorizes the department to issue a temporary registration~~  
22 ~~permit valid for 30 days for a \$25 fee].~~

1                   (A) A vehicle operated on a 30-day license plate [~~temporary permit~~] is not  
2 restricted to a specific route. The 30-day license plate [~~permit~~] is available for:  
3                   (i) [~~(A)~~] passenger vehicles;  
4                   [~~(B) motorcycles;~~]  
5                   (ii) [~~(C)~~] private buses;  
6                   (iii) [~~(D)~~] trailers and semitrailers with a gross weight not exceeding  
7 10,000 pounds;  
8                   (iv) [~~(E)~~] light commercial vehicles not exceeding a gross weight of  
9 10,000 pounds; and  
10                  (v) [~~(F)~~] a commercial vehicle exceeding 10,000 pounds, provided the  
11 vehicle is operated unladen.

12                   (B) A 30-day license plate must be displayed as required by §217.27(b) of  
13 this title (relating to Vehicle Registration Insignia).

14                   (d) [~~(e)~~] Application process.

15                   (1) Procedure. An owner who wishes to apply for a special [~~temporary~~] registration  
16 permit or special registration license plate for a vehicle which is otherwise required to be  
17 registered in accordance with this subchapter, must do so on a form prescribed by the  
18 department.

19                   (2) Form requirements. The application form will at a minimum require:

- 20                   (A) the signature of the owner;
- 21                   (B) the name and complete address of the applicant; and
- 22                   (C) the vehicle description.

23                   (3) Fees and documentation. The application must be accompanied by:

1 (A) statutorily prescribed fees, ~~[, unless the applicant is exempt from fees~~  
2 ~~under Transportation Code, §501.0236 and provides the letter specified in §217.16(c) of this title~~  
3 ~~(relating to Application for Title When Dealer Goes Out of Business);]~~

4 (B) evidence of financial responsibility:

5 (i) as required by Transportation Code, Chapter 502, Subchapter B,  
6 provided that all policies written for the operation of motor vehicles must be issued by an  
7 insurance company or surety company authorized to write motor vehicle liability insurance in  
8 Texas; or

9 (ii) if the applicant is a motor carrier as defined by §218.2 of this  
10 title (relating to Definitions), indicating that the vehicle is registered in compliance with Chapter  
11 218, Subchapter B of this title (relating to Motor Carrier Registration); and

12 (C) any other documents or fees required by law.

13 (4) Place of application.

14 (A) All applications for annual permits must be submitted directly to the  
15 department for processing and issuance.

16 (B) Additional weight permits ~~[and temporary agricultural permits]~~ may be  
17 obtained by making application with the department through the county tax assessor-collectors'  
18 offices.

19 (C) 72-hour and 144-hour permits, one-trip license plates ~~[permits]~~, and 30-  
20 day license plates ~~[temporary registration permits]~~ may be obtained by making application either  
21 with the department or the county tax assessor-collectors' offices.

22 ~~(e)[(d)]~~ Receipt for special registration permit or special registration license plate in lieu of  
23 registration. A receipt will be issued for each special registration permit or special registration

1 license plate in lieu of registration to be carried in the vehicle during the time the special  
2 registration permit or special registration license plate is valid. [~~A one-trip or 30-day trip permit~~  
3 ~~must be displayed as required by Transportation Code, §502.095(f).~~] If the receipt is lost or  
4 destroyed, the owner must obtain a duplicate from the department or from the county office. The  
5 fee for the duplicate receipt is the same as the fee required by Transportation Code, §502.058.

6 (f)[~~(e)~~] Transfer of special registration [~~temporary~~] permits or special registration license  
7 plates.

8 (1) Special registration [~~Temporary~~] permits and special registration license plates  
9 are non-transferable between vehicles and/or owners.

10 (2) If the owner of a vehicle displaying a special registration [~~temporary~~] permit or a  
11 special registration license plate disposes of the vehicle during the time the permit or license plate  
12 is valid, the permit or license plate must be returned to the county tax assessor-collector office or  
13 department immediately.

14 (g)[~~(f)~~] Replacement permits. Vehicle owners displaying annual permits may obtain  
15 replacement permits if an annual permit is lost, stolen, or mutilated.

16 (1) The fee for a replacement annual permit is the same as for a replacement  
17 number plate, symbol, tab, or other device as provided by Transportation Code, §502.060.

18 (2) The owner shall apply directly to the department in writing for the issuance of a  
19 replacement annual permit. Such request should include a copy of the registration receipt  
20 and replacement fee.

21 (h)[~~(g)~~] Agreements with other jurisdictions. In accordance with Transportation Code,  
22 §502.091, and Chapter 648, the executive director of the department may enter into a written  
23 agreement with an authorized officer of a state, province, territory, or possession of a foreign

1 country to provide for the exemption from payment of registration fees by nonresidents, if  
2 residents of this state are granted reciprocal exemptions. The executive director may enter into  
3 such agreement only upon:

4 (1) the approval of the governor; and

5 (2) making a determination that the economic benefits to the state outweigh all  
6 other factors considered.

7 (i)~~(h)~~ Border commercial zones.

8 (1) Texas registration required. A vehicle located in a border commercial zone must  
9 display a valid Texas registration if the vehicle is owned by a person who:

10 (A) owns a leasing facility or a leasing terminal located in Texas; and

11 (B) leases the vehicle to a foreign motor carrier.

12 (2) Exemption for trips of short duration. Except as provided by paragraph (1) of  
13 this subsection, a foreign commercial vehicle operating in accordance with Transportation Code,  
14 Chapter 648 is exempt from the display of a temporary registration permit if:

15 (A) the vehicle is engaged solely in the transportation of cargo across the  
16 border into or from a border commercial zone;

17 (B) for each load of cargo transported the vehicle remains in this state for:

18 (i) not more than 24 hours; or

19 (ii) not more than 48 hours, if:

20 (I) the vehicle is unable to leave this state within 24 hours  
21 because of circumstances beyond the control of the motor carrier operating the vehicle; and

22 (II) all financial responsibility requirements applying to this  
23 vehicle are satisfied;

1 (C) the vehicle is registered and licensed as required by the country in which  
2 the person that owns the vehicle is domiciled or is a citizen as evidenced by a valid metal license  
3 plate attached to the front or rear exterior of the vehicle; and

4 (D) the country in which the person who owns the vehicle is domiciled or is  
5 a citizen provides a reciprocal exemption for commercial motor vehicles owned by residents of  
6 Texas.

7 (3) Exemption due to reciprocity agreement. Except as provided by paragraph (1) of  
8 this subsection, a foreign commercial motor vehicle in a border commercial zone in this state is  
9 exempt from the requirement of obtaining a Texas registration if the vehicle is currently registered  
10 in another state of the United States or a province of Canada with which this state has a reciprocity  
11 agreement that exempts a vehicle that is owned by a resident of this state and that is currently  
12 registered in this state from registration in the other state or province.

13

14 §217.41. Disabled Person License Plates and Disabled Parking Placards.

15 (a) Purpose. Transportation Code, Chapters 504 and 681, charge the department with the  
16 responsibility for issuing specially designed license plates and disabled parking placards for  
17 disabled persons. For the department to perform these duties efficiently and effectively, this  
18 section prescribes the policies and procedures for the application, issuance, and renewal of  
19 disabled person license plates and disabled parking placards.

20 (b) Issuance.

21 (1) For purposes of this section, "disabled person" means a person eligible for  
22 issuance of a license plate bearing the International Symbol of Access under Transportation Code  
23 §504.201, including a qualifying disabled veteran under §504.202(b-1).



1 (2) Disabled person license plates.

2 (A) Eligibility. In accordance with Transportation Code §504.201 and  
3 §504.202(b-1) and (b-2), the department will issue specially designed license plates displaying the  
4 International Symbol of Access to permanently disabled persons or their transporters instead of  
5 general issue [~~regular motor vehicle~~] license plates. As satisfactory proof of eligibility, an  
6 organization that transports disabled veterans who would qualify for license plates issued under  
7 Transportation Code §504.202(b-1) must provide a written statement from the veteran's county  
8 service officer of the county in which a vehicle described by Transportation Code §504.202(c) is  
9 registered or by the Department of Veterans Affairs that:

10 (i) the vehicle is used exclusively to transport veterans of the United  
11 States armed forces who have suffered, as a result of military service, a service-connected  
12 disability;

13 (ii) the vehicle regularly transports veterans who are eligible to  
14 receive license plates under Subsection (b-1); and

15 (iii) the veterans are not charged for the transportation.

16 (B) Specialty license plates. The department will issue disabled person  
17 specialty license plates displaying the International Symbol of Access that can accommodate the  
18 identifying insignia and that are issued in accordance with §217.43 or §217.45 of this title.

19 (C) License plate number. Disabled person license plates will bear a license  
20 plate number assigned by the department or will bear a personalized license plate number issued  
21 in accordance with §217.43 or §217.45 of this title.

22 (3) Windshield disabled parking placards.

1 (A) Issuance. The department will issue removable windshield disabled  
2 parking placards to temporarily or permanently disabled persons and to the transporters of  
3 permanently disabled persons, as provided under Transportation Code §§504.201, 504.202 (b-1)  
4 and (b-2), and 681.004.

5 (B) Display. A person who has been issued a windshield disabled parking  
6 placard shall hang the placard from a vehicle's rearview mirror when the vehicle is parked in a  
7 disabled person parking space or shall display the placard on the center portion of the dashboard if  
8 the vehicle does not have a rearview mirror.

9 (c) Renewal of disabled person license plates. Disabled person license plates are valid for a  
10 period of 12 months from the date of issuance and are renewable as specified in §§217.28, 217.43,  
11 and 217.45 of this title.

12 (d) Replacement.

13 (1) License plates. If a disabled person metal license plate is lost, stolen, or  
14 mutilated, the owner may obtain a replacement metal license plate by applying with a county tax  
15 assessor-collector.

16 (A) Accompanying documentation. To replace disabled person metal license  
17 plates, the owner must present the current year's registration receipt and personal identification  
18 acceptable to the county tax assessor-collector.

19 (B) Absence of accompanying documentation. If the current year's  
20 registration receipt is not available and the county tax assessor-collector cannot verify that the  
21 disabled person metal license plates were issued to the owner, the owner must reapply in  
22 accordance with this section.

1                   (2) Disabled parking placards. If a disabled parking placard becomes lost, stolen, or  
2 mutilated, the owner may obtain a new disabled parking placard in accordance with this section.

3                   (e) Transfer of disabled person license plates and disabled parking placards.

4                   (1) License plates.

5                   (A) Transfer between persons. Disabled person license plates may not be  
6 transferred between persons. An owner who sells or trades a vehicle to which disabled person  
7 license plates have been issued shall remove the disabled person license plates from the vehicle.  
8 The owner shall return the license plates to the department and shall obtain appropriate  
9 replacement license plates to place on the vehicle prior to any transfer of ownership.

10                   (B) Transfer between vehicles. Disabled person license plates may be  
11 transferred between vehicles if the county tax assessor-collector or the department can verify the  
12 plate ownership and the owner of the vehicle is a disabled person or the vehicle is used to  
13 transport a disabled person.

14                   (i) Plate ownership verification may include:

15                                   (I) a Registration and Title System (RTS) inquiry;

16                                   (II) a copy of the department application for disabled person  
17 license plates; or

18                                   (III) the owner's current registration receipt.

19                   (ii) An owner who sells or trades a vehicle with disabled person  
20 license plates must remove the plates from the vehicle.

21                   (iii) The department will provide a form that persons may use to  
22 facilitate a transfer of disabled person license plates between vehicles.

23                   (2) Disabled parking placards.

1 (A) Transfer between vehicles. Disabled parking placards may be displayed  
2 in any vehicle driven by the disabled person or in which the disabled person is a passenger.

3 (B) Transfer between persons. Disabled parking placards may not be  
4 transferred between persons.

5 (f) Seizure and revocation of disabled parking placard.

6 (1) If a law enforcement officer seizes and destroys a disabled parking placard  
7 under Transportation Code §681.012, the officer shall notify the department by email.

8 (2) The person to whom the seized disabled parking placard was issued may apply  
9 for a new disabled parking placard by submitting an application to the county tax assessor-  
10 collector of the county in which the person with the disability resides or in which the applicant is  
11 seeking medical treatment.

12

13 §217.43. Military Specialty License Plates.

14 (a) Purpose and Scope. Transportation Code, Chapter 504 authorizes the department to  
15 issue military specialty license plates. This section prescribes the policies and procedures for the  
16 application, issuance, and renewal of military specialty license plates.

17 (b) Classification and fees. The department will issue specialty license plates for the  
18 military and charge fees as authorized by Transportation Code, §504.202 and Chapter 504,  
19 Subchapter D.

20 (c) Application. Applications for military specialty license plates must be made to the  
21 department and include evidence of eligibility. The evidence of eligibility may include, but is not  
22 limited to:

23 (1) an official document issued by a governmental entity;

- 1 (2) a letter issued by a governmental entity on that agency's letterhead;
- 2 (3) discharge papers;
- 3 (4) a death certificate; or
- 4 (5) an identification card issued by any branch of the military under the jurisdiction
- 5 of the United States Department of Defense or the United States Department of Homeland
- 6 Security indicating that the member is retired.

7 (d) Period. Military specialty license plates shall be valid for 12 months from the month of  
8 issuance or for a prorated period of at least 12 months coinciding with the expiration of  
9 registration and may be replaced in accordance with §217.32 of this title (relating to Replacement  
10 of License Plates, Symbols, Tabs, and Other Devices).

11 (e) Assignment and Transfer. Military license plates may not be assigned and may only be  
12 transferred to another vehicle owned by the same vehicle owner.

13 (f) Applicability. Section 217.45 of this title (relating to Specialty License Plates, Symbols,  
14 Tabs, and Other Devices) applies to military license plates, symbols, tabs, or other devices as to:

- 15 (1) what is considered one set of license plates per vehicle as determined by vehicle
- 16 type;
- 17 (2) issuance of validation tabs and insignia;
- 18 (3) stolen or replaced license plates;
- 19 (4) payment of other applicable fees;
- 20 (5) personalization, except that Congressional Medal of Honor license plates may
- 21 not be personalized;

1                   (6) renewal, except that the owner of a vehicle with Congressional Medal of Honor  
2 license plates must return the documentation and specialty license plate fee, if any, directly to the  
3 department;

4                   (7) refunds; and

5                   (8) expiration.

6

7 §217.45. Specialty License Plates, Symbols, Tabs, and Other Devices.

8                   (a) Purpose and Scope. Transportation Code, Chapters 504, 551, and 551A charge the  
9 department with providing specialty license plates, symbols, tabs, and other devices. For the  
10 department to perform these duties efficiently and effectively, this section prescribes the policies  
11 and procedures for the application, issuance, and renewal of specialty license plates, symbols,  
12 tabs, and other devices, through the county tax assessor-collectors, and establishes application  
13 fees, expiration dates, and registration periods for certain specialty license plates. This section  
14 does not apply to military license plates except as provided by §217.43 of this title (relating to  
15 Military Specialty License Plates).

16                   (b) Initial application for specialty license plates, symbols, tabs, or other devices.

17                   (1) Application Process.

18                   (A) Procedure. An owner of a vehicle registered as specified in this  
19 subchapter who wishes to apply for a specialty license plate, symbol, tab, or other device must do  
20 so on a form prescribed by the director.

21                   (B) Form requirements. The application form shall at a minimum require the  
22 name and complete address of the applicant.

23                   (2) Fees and Documentation.

1 (A) The application must be accompanied by the prescribed registration fee,  
2 unless exempted by statute.

3 (B) The application must be accompanied by the statutorily prescribed  
4 specialty license plate fee. [~~If a registration period is greater than 12 months, the expiration date~~  
5 ~~of a specialty license plate, symbol, tab, or other device will be aligned with the registration period~~  
6 ~~and the specialty plate fee will be adjusted to yield the appropriate fee. If the statutory annual fee~~  
7 ~~for a specialty license plate is \$5 or less, it will not be prorated.]~~

8 (C) Specialty license plate fees will not be refunded after an application is  
9 submitted and the department has approved issuance of the license plate.

10 (D) The application must be accompanied by prescribed local fees or other  
11 fees that are collected in conjunction with registering a vehicle, with the exception of vehicles  
12 bearing license plates that are exempt by statute from these fees.

13 (E) The application must include evidence of eligibility for any specialty  
14 license plates. The evidence of eligibility may include, but is not limited to:

15 (i) an official document issued by a governmental entity; or

16 (ii) a letter issued by a governmental entity on that agency's  
17 letterhead.

18 (F) Initial applications for license plates for display on Exhibition Vehicles  
19 must include a photograph of the completed vehicle.

20 (3) Place of application. Applications for specialty license plates may be made  
21 directly to the county tax assessor-collector of the county in which the owner resides or a county  
22 tax assessor-collector who is willing to accept the application, except that applications for the  
23 following license plates must be made directly to the department:

- 1 (A) County Judge;
- 2 (B) Federal Administrative Law Judge;
- 3 (C) State Judge;
- 4 (D) State Official;
- 5 (E) U.S. Congress--House;
- 6 (F) U.S. Congress--Senate; and
- 7 (G) U.S. Judge.

8 (4) Gift plates.

9 (A) A person may purchase general distribution specialty license plates as a  
10 gift for another person if the purchaser submits an application for the specialty license plates that  
11 provides:

12 (i) the name and address of the person who will receive the license  
13 plates; and

14 (ii) the vehicle identification number of the vehicle on which the  
15 license plates will be displayed.

16 (B) To be valid for use on a motor vehicle, the recipient of the license plates  
17 must file an application with the county tax assessor-collector and pay the statutorily required  
18 registration fees in the amount as provided by Transportation Code, Chapter 502 and this  
19 subchapter.

20 (c) Initial issuance of specialty license plates, symbols, tabs, or other devices.

21 (1) Issuance. On receipt of a completed initial application for registration,  
22 accompanied by the prescribed documentation and fees, the department will issue specialty  
23 license plates, symbols, tabs, or other devices to be displayed on the vehicle for which the license



1 plates, symbols, tabs, or other devices were issued for the current registration period. If the  
2 vehicle for which the specialty license plates, symbols, tabs, or other devices are issued is currently  
3 registered, the owner must surrender the license plates currently displayed on the vehicle, along  
4 with the corresponding license receipt, before the specialty license plates may be issued.

5 (2) Classic Motor Vehicles, Classic Travel Trailers, Custom Vehicles, Street Rods, and  
6 Exhibition Vehicles.

7 (A) License plates. Texas license plates that were issued the same year as  
8 the model year of a Classic Motor Vehicle, Travel Trailer, Street Rod, or Exhibition Vehicle may be  
9 displayed on that vehicle under Transportation Code, §504.501 and §504.502, unless:

10 (i) the license plate's original use was restricted by statute to  
11 another vehicle type;

12 (ii) the license plate is a qualifying plate type that originally required  
13 the owner to meet one or more eligibility requirements, except for a plate issued under  
14 Transportation Code, §504.202; or

15 (iii) the license plate number [~~alpha-numeric pattern~~] is already in  
16 use on another vehicle.

17 (B) Validation stickers and tabs. The department will issue validation  
18 stickers and tabs for display on license plates that are displayed as provided by subparagraph (A) of  
19 this paragraph.

20 (3) Number of license plates issued.

21 (A) Two license plates. Unless otherwise listed in subparagraph (B) of this  
22 paragraph, two specialty license plates, each bearing the same license plate number, will be issued  
23 per vehicle.

1 (B) One license plate. One license plate will be issued per vehicle for all  
2 motorcycles and for the following specialty license plates:

3 (i) Antique Vehicle (includes Antique Auto, Antique Truck, Antique  
4 Motorcycle, and Antique Bus);

5 (ii) Classic Travel Trailer;

6 (iii) Rental Trailer;

7 (iv) Travel Trailer;

8 (v) Cotton Vehicle;

9 (vi) Disaster Relief;

10 (vii) Forestry Vehicle;

11 (viii) Golf Cart;

12 (ix) Log Loader;

13 (x) Military Vehicle;

14 (xi) Package Delivery Vehicle;

15 (xii) Fertilizer; and

16 (xiii) Off-highway Vehicle.

17 (C) Registration number. The identification number assigned by the military  
18 may be approved as the registration number instead of displaying Military Vehicle license plates on  
19 a former military vehicle.

20 (4) Assignment of license plates.

21 (A) Title holder. Unless otherwise exempted by law or this section, the  
22 vehicle on which specialty license plates, symbols, tabs, or other devices is to be displayed shall be  
23 titled in the name of the person to whom the specialty license plates, symbols, tabs, or other

1 devices is assigned, or a title application shall be filed in that person's name at the time the  
2 specialty license plates, symbols, tabs, or other devices are issued.

3 (B) Non-owner vehicle. If the vehicle is titled in a name other than that of  
4 the applicant, the applicant must provide evidence of having the legal right of possession and  
5 control of the vehicle.

6 (C) Leased vehicle. In the case of a leased vehicle, the applicant must  
7 provide a copy of the lease agreement verifying that the applicant currently leases the vehicle.

8 (5) Classification of neighborhood electric vehicles. The registration classification of  
9 a neighborhood electric vehicle, as defined by §217.3(3) of this title (relating to Motor Vehicle  
10 Titles) will be determined by whether it is designed as a 4-wheeled truck or a 4-wheeled passenger  
11 vehicle.

12 (6) Number of vehicles. An owner may obtain specialty license plates, symbols,  
13 tabs, or other devices for an unlimited number of vehicles, unless the statute limits the number of  
14 vehicles for which the specialty license plate may be issued.

15 (7) Personalized license plate numbers.

16 (A) Issuance. The department will issue a personalized license plate number  
17 subject to the exceptions set forth in this paragraph.

18 (B) Character limit. A personalized license plate number may contain no  
19 more than six alpha or numeric characters or a combination of characters. Depending upon the  
20 specialty license plate design and vehicle class, the number of characters may vary. Spaces,  
21 hyphens, periods, hearts, stars, the International Symbol of Access, or silhouettes of the state of  
22 Texas may be used in conjunction with the license plate number.

1 (C) Personalized license plates not approved. A personalized license plate  
2 number will not be approved by the executive director if the license plate number [~~alpha-numeric~~  
3 ~~pattern~~]:

4 (i) conflicts with the department's current or proposed general issue  
5 [~~regular~~] license plate numbering system;

6 (ii) would violate §217.27 of this title (relating to Vehicle  
7 Registration Insignia), as determined by the executive director; or

8 (iii) is currently issued to another owner.

9 (D) Classifications of vehicles eligible for personalized license plates. Unless  
10 otherwise listed in subparagraph (E) of this paragraph, personalized license plates are available for  
11 all classifications of vehicles.

12 (E) Categories of license plates for which personalized license plates are not  
13 available. Personalized license plate numbers are not available for display on the following  
14 specialty license plates:

15 (i) Amateur Radio (other than the official call letters of the vehicle  
16 owner);

17 (ii) Antique Motorcycle;

18 (iii) Antique Vehicle (includes Antique Auto, Antique Truck, and  
19 Antique Bus);

20 (iv) Apportioned;

21 (v) Cotton Vehicle;

22 (vi) Disaster Relief;

23 (vii) Farm Trailer (except Go Texan II);

- 1 (viii) Farm Truck (except Go Texan II);
- 2 (ix) Farm Truck Tractor (except Go Texan II);
- 3 (x) Fertilizer;
- 4 (xi) Forestry Vehicle;
- 5 (xii) Log Loader;
- 6 (xiii) Machinery;
- 7 (xiv) Permit;
- 8 (xv) Rental Trailer;
- 9 (xvi) Soil Conservation;
- 10 (xvii) Texas Guard;
- 11 (xviii) Golf Cart;
- 12 (xix) Package Delivery Vehicle; and
- 13 (xx) Off-highway Vehicle.

14 (F) Fee. Unless specified by statute, a personalized license plate fee of \$40  
15 will be charged in addition to any prescribed specialty license plate fee.

16 (G) Priority. Once a personalized license plate number has been assigned to  
17 an applicant, the owner shall have priority to that number for succeeding years if a timely renewal  
18 application is submitted to the county tax assessor-collector each year in accordance with  
19 subsection (d) of this section.

20 (d) Specialty license plate renewal.

21 (1) Renewal deadline. If a personalized license plate is not renewed within 60 days  
22 after its expiration date, a subsequent renewal application will be treated as an application for  
23 new personalized license plates.

1                   (2) Length of validation. Except as provided by Transportation Code, §§504.401,  
2 504.4061, or 504.502, all specialty license plates, symbols, tabs, or other devices shall be valid for  
3 12 months from the month of issuance or for a prorated period of at least 12 months coinciding  
4 with the expiration of registration.

5                   (3) Renewal.

6                   (A) Renewal notice. Approximately 60 days before the expiration date of a  
7 specialty license plate, symbol, tab, or other device, the department will send each owner a  
8 renewal notice that includes the amount of the specialty license plate fee and the registration fee.

9                   (B) Return of notice. The owner must return the fee and any prescribed  
10 documentation to the tax assessor-collector of the county in which the owner resides or a county  
11 tax assessor-collector who is willing to accept the application, except that the owner of a vehicle  
12 with one of the following license plates must return the documentation, and specialty license plate  
13 fee, if applicable, directly to the department and submit the registration fee to a county tax  
14 assessor-collector:

15                                   (i) County Judge;

16                                   (ii) Federal Administrative Law Judge;

17                                   (iii) State Judge;

18                                   (iv) State Official;

19                                   (v) U.S. Congress--House;

20                                   (vi) U.S. Congress--Senate; and

21                                   (vii) U.S. Judge.

22                   (C) Expired license plate numbers. The department will retain a specialty  
23 license plate number for 60 days after the expiration date of the license plates if the license plates

1 are not renewed on or before their expiration date. After 60 days the number may be reissued to a  
2 new applicant. All specialty license plate renewals received after the expiration of the 60 days will  
3 be treated as new applications.

4 (D) Issuance of validation insignia. On receipt of a completed license plate  
5 renewal application and prescribed documentation, the department will issue registration  
6 validation insignia as specified in §217.27 unless this section or other law requires the issuance of  
7 new license plates to the owner.

8 (E) Lost or destroyed renewal notices. If a renewal notice is lost, destroyed,  
9 or not received by the vehicle owner, the specialty license plates, symbol, tab, or other device may  
10 be renewed if the owner provides acceptable personal identification along with the appropriate  
11 fees and documentation to the tax assessor-collector of the county in which the owner resides or a  
12 county tax assessor-collector who is willing to accept the application. Failure to receive the notice  
13 does not relieve the owner of the responsibility to renew the vehicle's registration.

14 (e) Transfer of specialty license plates.

15 (1) Transfer between vehicles.

16 (A) Transferable between vehicles. The owner of a vehicle with specialty  
17 license plates, symbols, tabs, or other devices may transfer the specialty license plates between  
18 vehicles by filing an application through the county tax assessor-collector in which the owner  
19 resides or a county tax assessor-collector who is willing to accept the application, if the vehicle to  
20 which the license plates are transferred:

21 (i) is titled or leased in the owner's name; and

22 (ii) meets the vehicle classification requirements for that particular  
23 specialty license plate, symbol, tab, or other device.

1 (B) Non-transferable between vehicles. The following specialty license  
2 plates, symbols, tabs, or other devices are non-transferable between vehicles:

3 (i) Antique Vehicle license plates (includes Antique Auto, Antique  
4 Truck, and Antique Bus), Antique Motorcycle license plates, and Antique tabs;

5 (ii) Classic Auto, Classic Truck, Classic Motorcycle, Classic Travel  
6 Trailer, Street Rod, and Custom Vehicle license plates;

7 (iii) Forestry Vehicle license plates;

8 (iv) Log Loader license plates;

9 (v) Golf Cart license plates;

10 (vi) Package Delivery Vehicle license plates; and

11 (vii) Off-highway Vehicle license plates.

12 (C) New specialty license plates. If the department creates a new specialty  
13 license plate under Transportation Code, §504.801, the department will specify at the time of  
14 creation whether the license plate may be transferred between vehicles.

15 (2) Transfer between owners.

16 (A) Non-transferable between owners. Specialty license plates, symbols,  
17 tabs, or other devices issued under Transportation Code, Chapter 504, Subchapters C, E, and F are  
18 not transferable from one person to another except as specifically permitted by statute.

19 (B) New specialty license plates. If the department creates a new specialty  
20 license plate under Transportation Code, §504.801, the department will specify at the time of  
21 creation whether the license plate may be transferred between owners.

22 (3) Simultaneous transfer between owners and vehicles. Specialty license  
23 plates, symbols, tabs, or other devices are transferable between owners and vehicles



1 simultaneously only if the owners and vehicles meet all the requirements in both paragraphs (1)  
2 and (2) of this subsection.

3 (f) Replacement.

4 (1) Application. When specialty license plates, symbols, tabs, or other devices are  
5 lost, stolen, or mutilated, the owner shall apply directly to a county tax assessor-collector for the  
6 issuance of replacements.

7 (2) Temporary registration insignia. If the specialty license plate, symbol, tab, or  
8 other device is lost, destroyed, or mutilated to such an extent that it is unusable, and if issuance of  
9 a replacement license plate would require that it be remanufactured, the owner must pay the  
10 statutory replacement fee, and the department will issue a temporary tag for interim use. The  
11 owner's new specialty license plate number will be shown on the temporary tag unless it is a  
12 personalized license plate, in which case the same personalized license plate number will be  
13 shown.

14 (3) Stolen specialty license plates.

15 (A) The department or county tax assessor-collector will not approve the  
16 issuance of replacement license plates with the same personalized license plate number if the  
17 department's records indicate either the vehicle displaying the personalized license plates or the  
18 license plates are reported as stolen to law enforcement. The owner will be directed to contact the  
19 department for another personalized license plate choice.

20 (B) The owner may select a different personalized number to be issued at  
21 no charge with the same expiration as the stolen specialty license plate. On recovery of the stolen  
22 vehicle or license plates, the department will issue, at the owner's or applicant's request,  
23 replacement license plates, bearing the same personalized number as those that were stolen.

1 (g) License plates created after January 1, 1999. In accordance with Transportation Code,  
2 §504.702, the department will begin to issue specialty license plates authorized by a law enacted  
3 after January 1, 1999, only if the sponsoring entity for that license plate submits the following  
4 items before the fifth anniversary of the effective date of the law.

5 (1) The sponsoring entity must submit a written application. The application must  
6 be on a form approved by the director and include, at a minimum:

7 (A) the name of the license plate;

8 (B) the name and address of the sponsoring entity;

9 (C) the name and telephone number of a person authorized to act for the  
10 sponsoring entity; and

11 (D) the deposit.

12 (2) A sponsoring entity is not an agent of the department and does not act for the  
13 department in any matter, and the department does not assume any responsibility for fees or  
14 applications collected by a sponsoring entity.

15 (h) Assignment procedures for state, federal, and county officials.

16 (1) State Officials. State Official license plates contain the distinguishing prefix "SO."  
17 Members of the state legislature may be issued up to three sets of State Official specialty license  
18 plates with the distinguishing prefix "SO," or up to three sets of State Official specialty license  
19 plates that depict the state capitol, and do not display the distinguishing prefix "SO." An  
20 application by a member of the state legislature, for a State Official specialty license plate, must  
21 specify the same specialty license plate design for each applicable vehicle. State Official license  
22 plates are assigned in the following order:

23 (A) Governor;

- 1 (B) Lieutenant Governor;
- 2 (C) Speaker of the House;
- 3 (D) Attorney General;
- 4 (E) Comptroller;
- 5 (F) Land Commissioner;
- 6 (G) Agriculture Commissioner;
- 7 (H) Secretary of State;
- 8 (I) Railroad Commission;
- 9 (J) Supreme Court Chief Justice followed by the remaining justices based on  
10 their seniority;
- 11 (K) Criminal Court of Appeals Presiding Judge followed by the remaining  
12 judges based on their seniority;
- 13 (L) Members of the State Legislature, with Senators assigned in order of  
14 district number followed by Representatives assigned in order of district number, except that in  
15 the event of redistricting, license plates will be reassigned; and
- 16 (M) Board of Education Presiding Officer followed by the remaining  
17 members assigned in district number order, except that in the event of redistricting, license plates  
18 will be reassigned.
- 19 (2) Members of the U.S. Congress.
- 20 (A) U.S. Senate license plates contain the prefix "Senate" and are assigned  
21 by seniority; and
- 22 (B) U.S. House license plates contain the prefix "House" and are assigned in  
23 order of district number, except that in the event of redistricting, license plates will be reassigned.

1 (3) Federal Judge.

2 (A) Federal Judge license plates contain the prefix "USA" and are assigned  
3 on a seniority basis within each court in the following order:

4 (i) Judges of the Fifth Circuit Court of Appeals;

5 (ii) Judges of the United States District Courts;

6 (iii) United States Bankruptcy Judges; and

7 (iv) United States Magistrates.

8 (B) Federal Administrative Law Judge license plates contain the prefix "US"  
9 and are assigned in the order in which applications are received.

10 (C) A federal judge who retired on or before August 31, 2003, and who held  
11 license plates expiring in March 2004 may continue to receive federal judge license plates. A  
12 federal judge who retired after August 31, 2003, is not eligible for U.S. Judge license plates.

13 (4) State Judge.

14 (A) State Judge license plates contain the prefix "TX" and are assigned  
15 sequentially in the following order:

16 (i) Appellate District Courts;

17 (ii) Presiding Judges of Administrative Regions;

18 (iii) Judicial District Courts;

19 (iv) Criminal District Courts; and

20 (v) Family District Courts and County Statutory Courts.

21 (B) A particular alpha-numeric combination will always be assigned to a  
22 judge of the same court to which it was originally assigned.

1 (C) A state judge who retired on or before August 31, 2003, and who held  
2 license plates expiring in March 2004 may continue to receive state judge plates. A state judge  
3 who retired after August 31, 2003, is not eligible for State Judge license plates.

4 (5) County Judge license plates contain the prefix "CJ" and are assigned by county  
5 number.

6 (6) In the event of redistricting or other license plate reallocation, the department  
7 may allow a state official to retain that official's plate number if the official has had the number for  
8 five or more consecutive years.

9 (i) Development of new specialty license plates.

10 (1) Procedure. The following procedure governs the process of authorizing new  
11 specialty license plates under Transportation Code, §504.801, whether the new license plate  
12 originated as a result of an application or as a department initiative.

13 (2) Applications for the creation of new specialty license plates. An applicant for the  
14 creation of a new specialty license plate, other than a vendor specialty plate under §217.52 of this  
15 title (relating to Marketing of Specialty License Plates through a Private Vendor), must submit a  
16 written application on a form approved by the executive director. The application must include:

17 (A) the applicant's name, address, telephone number, and other identifying  
18 information as directed on the form;

19 (B) certification on Internal Revenue Service letterhead stating that the  
20 applicant is a not-for-profit entity;

21 (C) a draft design of the specialty license plate;

22 (D) projected sales of the license plate, including an explanation of how the  
23 projected figure was established;

1 (E) a marketing plan for the license plate, including a description of the  
2 target market;

3 (F) a licensing agreement from the appropriate third party for any  
4 intellectual property design or design element;

5 (G) a letter from the executive director of the sponsoring state agency  
6 stating that the agency agrees to receive and distribute revenue from the sale of the specialty  
7 license plate and that the use of the funds will not violate a statute or constitutional provision; and

8 (H) other information necessary for the board to reach a decision regarding  
9 approval of the requested specialty license plate.

10 (3) Review process. The board:

11 (A) will not consider incomplete applications;

12 (B) may request additional information from an applicant if necessary for a  
13 decision; and

14 (C) will consider specialty license plate applications that are restricted by  
15 law to certain individuals or groups of individuals (qualifying license plates) using the same  
16 procedures as applications submitted for license plates that are available to everyone (non-  
17 qualifying license plates).

18 (4) Request for additional information. If the board determines that additional  
19 information is needed, the applicant must return the requested information not later than the  
20 requested due date. If the additional information is not received by that date, the board will return  
21 the application as incomplete unless the board:

22 (A) determines that the additional requested information is not critical for  
23 consideration and approval of the application; and

1 (B) approves the application, pending receipt of the additional information  
2 by a specified due date.

3 (5) Board decision. The board's decision will be based on:

4 (A) compliance with Transportation Code, §504.801;

5 (B) the proposed license plate design, including:

6 (i) whether the design appears to meet the legibility and reflectivity  
7 standards established by the department;

8 (ii) whether the design meets the standards established by the  
9 department for uniqueness;

10 (iii) other information provided during the application process;

11 (iv) the criteria designated in §217.27 as applied to the design; and

12 (v) whether a design is similar enough to an existing plate design  
13 that it may compete with the existing license plate sales; and

14 (C) the applicant's ability to comply with Transportation Code, §504.702  
15 relating to the required deposit or application that must be provided before the manufacture of a  
16 new specialty license plate.

17 (6) Public comment on proposed design. All proposed license plate designs will be  
18 considered by the board as an agenda item at a regularly or specially called open meeting. Notice  
19 of consideration of proposed license plate designs will be posted in accordance with Office of the  
20 Secretary of State meeting notice requirements. Notice of each license plate design will be posted  
21 on the department's Internet website to receive public comment at least 25 days in advance of the  
22 meeting at which it will be considered. The department will notify all other specialty license plate  
23 organizations and the sponsoring agencies who administer specialty license plates issued in

1 accordance with Transportation Code, Chapter 504, Subchapter G, of the posting. A comment on  
2 the proposed design can be submitted in writing through the mechanism provided on the  
3 department's Internet website for submission of comments. Written comments are welcome and  
4 must be received by the department at least 10 days in advance of the meeting. Public comment  
5 will be received at the board's meeting.

6 (7) Final approval.

7 (A) Approval. The board will approve or disapprove the specialty license  
8 plate application based on all of the information provided pursuant to this subchapter at an open  
9 meeting.

10 (B) Application not approved. If the application is not approved under  
11 subparagraph (A) of this paragraph, the applicant may submit a new application and supporting  
12 documentation for the design to be considered again by the board if:

13 (i) the applicant has additional, required documentation; or

14 (ii) the design has been altered to an acceptable degree.

15 (8) Issuance of specialty license plates.

16 (A) If the specialty license plate is approved, the applicant must comply with  
17 Transportation Code, §504.702 before any further processing of the license plate.

18 (B) Approval of the license plate does not guarantee that the submitted  
19 draft license plate design will be used. The board has final approval authority of all specialty  
20 license plate designs and may adjust or reconfigure the submitted draft design to comply with the  
21 format or license plate specifications.



1 (C) If the board, in consultation with the applicant, adjusts or reconfigures  
2 the design, the adjusted or reconfigured design will not be posted on the department's website for  
3 additional comments.

4 (9) Redesign of specialty license plate.

5 (A) Upon receipt of a written request from the applicant, the department  
6 will allow redesign of a specialty license plate.

7 (B) A request for a redesign must meet all application requirements and  
8 proceed through the approval process of a new specialty license plate as required by this  
9 subsection.

10 (C) An approved license plate redesign does not require the deposit  
11 required by Transportation Code, §504.702, but the applicant must pay a redesign cost to cover  
12 administrative expenses.

13 (j) Golf carts.

14 (1) A county tax assessor-collector may issue golf cart license plates as long as the  
15 requirements under Transportation Code, §551.403 or §551.404 are met.

16 (2) A county tax assessor-collector may only issue golf cart license plates to  
17 residents or property owners of the issuing county.

18 (3) A golf cart license plate may not be used as a registration insignia, and a golf  
19 cart may not be registered for operation on a public highway.

20 (4) The license plate fee for a golf cart license plate is \$10.

21 (k) Off-highway vehicle.

22 (1) A county tax assessor-collector may issue off-highway vehicle license plates as  
23 long as the requirements under Transportation Code, §551A.053 or §551A.055 are met.

1 (2) An off-highway vehicle license plate may not be used as a registration insignia,  
2 and an off-highway vehicle may not be registered for operation on a public highway.

3 (3) The license plate fee for an off-highway vehicle license plate is \$10.

4 (l) Package delivery vehicle.

5 (1) A county tax assessor-collector may issue package delivery license plates as long  
6 as the requirements under Transportation Code, §§551.453, 551.454, and 551.455 are met.

7 (2) The license plate fee for a package delivery license plate is \$25 to be paid on an  
8 annual basis.

9

10 §217.46. Commercial Vehicle Registration.

11 (a) Eligibility. A motor vehicle is required to be registered as a commercial motor vehicle if  
12 it meets the definition of a commercial motor vehicle under Transportation Code, §502.001(7). [A  
13 ~~motor vehicle, other than a motorcycle or moped, designed or used primarily for the~~  
14 ~~transportation of property, including any passenger car that has been reconstructed to be used,~~  
15 ~~and is being used, primarily for delivery purposes, with the exception of a passenger car used in~~  
16 ~~the delivery of the United States mail, must be registered as a commercial vehicle.]~~

17 (b) Commercial vehicle registration classifications.

18 (1) Apportioned license plates. Apportioned license plates are issued in lieu of  
19 Combination, Motor Bus, or Truck license plates to Texas carriers who proportionally register their  
20 fleets in other states, in conformity with §217.56 of this title (relating to Registration Reciprocity  
21 Agreements).

22 (2) City bus license plates. A street or suburban bus shall be registered with license  
23 plates bearing the legend "City Bus."

1 (3) Combination license plates.

2 (A) Specifications. A truck or truck-tractor with a gross weight in excess of  
3 10,000 pounds used or to be used in combination with a semitrailer having a gross weight in excess  
4 of 6,000 pounds, may be registered with combination license plates. Such vehicles must be  
5 registered for a gross weight equal to the combined gross weight of all the vehicles in the  
6 combination, but not less than 18,000 pounds. Only one combination license plate is required and  
7 must be displayed on the front of the truck or truck-tractor. When displaying a combination license  
8 plate, a truck or truck-tractor is not restricted to pulling a semitrailer licensed with a Token Trailer  
9 license plate and may legally pull semitrailers ~~and full trailers~~ displaying other types of Texas  
10 license plates or license plates issued out of state; however, a truck or truck-tractor displaying a  
11 combination license plate issued under Transportation Code, §502.255 may only pull a semitrailer  
12 issued a license plate from another state to the extent authorized under a registration reciprocity  
13 agreement under Transportation Code, §502.091. The following vehicles may not be registered in  
14 combination:

15 (i) trucks or truck-tractors having a gross weight of ~~less than~~  
16 10,000 pounds or less or trucks or truck-tractors to be used exclusively in combination with  
17 semitrailers having gross weights not exceeding 6,000 pounds;

18 (ii) semitrailers with gross weights of 6,000 pounds or less, or  
19 semitrailers that are to be operated exclusively with trucks or truck-tractors having gross weight of  
20 ~~less than~~ 10,000 pounds or less;

21 (iii) trucks or truck-tractors used exclusively in combination with  
22 semitrailer-type vehicles displaying Machinery, Permit, or Farm Trailer license plates;

1 (iv) trucks or truck-tractors used exclusively in combination with  
2 travel trailers and manufactured housing;

3 (v) trucks or truck-tractors to be registered with Farm Truck or Farm  
4 Truck Tractor license plates;

5 (vi) trucks or truck-tractors and semitrailers to be registered with  
6 disaster relief license plates;

7 (vii) trucks or truck-tractors and semitrailers to be registered with  
8 Soil Conservation license plates;

9 (viii) trucks or truck-tractors and semitrailers to be registered with  
10 U.S. Government license plates or Exempt license plates issued by the State of Texas; and

11 (ix) vehicles that are to be issued special registration ~~temporary~~  
12 permits, such as 72-Hour Permits, 144-Hour Permits, or special registration license plates, such as  
13 One Trip license plates, ~~Permits,~~ or 30-Day license plates ~~Permits~~ in accordance with  
14 Transportation Code, §502.094 and §502.095.

15 (B) Converted semitrailers. Semitrailers that are converted to ~~full~~ trailers  
16 by means of auxiliary axle assemblies will retain their semitrailer status, and such semitrailers are  
17 subject to the combination and token trailer registration requirements.

18 (C) Axle assemblies. Various types of axle assemblies that are specially  
19 designed for use in conjunction with other vehicles or combinations of vehicles may be used to  
20 increase the load capabilities of such vehicles or combinations.

21 (i) Auxiliary axle assemblies such as trailer axle converters, jeep  
22 axles, and drag axles, which are used in conjunction with truck-tractor and semitrailer  
23 combinations, are not required to be registered; however, the additional weight that is acquired by

1 the use of such axle assemblies must be included in the combined gross weight of the  
2 combination.

3 (ii) Ready-mixed concrete trucks that have an auxiliary axle assembly  
4 installed for the purpose of increasing a load capacity of such vehicles must be registered for a  
5 weight that includes the axle assembly.

6 (D) Exchange of Combination license plates. Combination license plates  
7 shall not be exchanged for another type of registration during the registration year, except that:

8 (i) if a major permanent reconstruction change occurs, Combination  
9 license plates may be exchanged for Truck license plates, provided that a corrected title is applied  
10 for;

11 (ii) if the department initially issues Combination license plates in  
12 error, the plates will be exchanged for license plates of the proper classification;

13 (iii) if the department initially issues Truck or Trailer license plates in  
14 error to vehicles that should have been registered in combination, such license plates will be  
15 exchanged for Combination and Token Trailer license plates; or

16 (iv) if a Texas apportioned carrier acquires a combination license  
17 power unit, the Combination license plates will be exchanged for Apportioned license plates.

18 (4) Cotton Vehicle license plates. The department will issue Cotton Vehicle license  
19 plates in accordance with Transportation Code, §504.505 and §217.45 of this title (relating to  
20 Specialty License Plates, Symbols, Tabs, and Other Devices).

21 (5) Forestry Vehicle license plates. The department will issue Forestry Vehicle  
22 license plates in accordance with Transportation Code, §504.507 and §217.45 of this title.

1           ~~[(6) In Transit license plates. The department may issue an In Transit license plate~~  
2 ~~annually to any person, firm, or corporation engaged in the primary business of transporting and~~  
3 ~~delivering by means of the full mount, saddle mount, tow bar, or any other combination, new~~  
4 ~~vehicles and other vehicles from the manufacturer or any other point of origin to any point of~~  
5 ~~destination within the State. Each new vehicle being transported, delivered, or moved under its~~  
6 ~~own power in accordance with this paragraph must display an In Transit license plate in~~  
7 ~~accordance with Transportation Code, §503.035.]~~

8           (6)[(7)] Motor Bus license plates. A motor bus as well as a taxi and other vehicles  
9 that transport passengers for compensation or hire, must display Motor Bus license plates when  
10 operated outside the limits of a city or town, or adjacent suburb, in which its company is  
11 franchised to do business.

12           (7)[(8)] Token Trailer license plates.

13           (A) Qualification. The department will issue Token Trailer license plates for  
14 semitrailers that are authorized ~~[required]~~ to be registered in combination.

15           (B) Validity. A Token Trailer license plate is valid only when it is displayed on  
16 a semitrailer that is being pulled by a truck or a truck-tractor that has been properly registered  
17 with Forestry Vehicle (in accordance with Transportation Code, §504.507), Combination (in  
18 accordance with Transportation Code, §502.255), or Apportioned (in accordance with  
19 Transportation Code, §502.091) license plates for combined gross weights that include the weight  
20 of the semitrailer, except as authorized under Transportation Code, Chapters 621 through 623.~~[,~~  
21 ~~unless exempted by Transportation Code, §502.094 and §623.011.]~~

22           (C) House-moving dollies. House-moving dollies are to be registered with  
23 Token Trailer license plates and titled as semitrailers; however, only one such dolly in a

1 combination is required to be registered and titled. The remaining dolly (or dollies) is permitted to  
2 operate unregistered, since by the nature of its construction, it is dependent upon another such  
3 vehicle in order to function. The pulling unit must display a Combination or Apportioned license  
4 plate.

5 (D) Trailers. [~~Full trailers.~~] The department shall [~~will~~] not issue a Token  
6 Trailer license plate for a [~~full~~] trailer.

7 (8)[(9)] Tow Truck license plates. A Tow Truck license plate must be obtained for all  
8 tow trucks operating and registered in this state. The department will not issue a Tow Truck license  
9 plate unless the Texas Department of Licensing and Regulation has issued a permit for the tow  
10 truck under Occupations Code, Chapter 2308, Subchapter C.

11 (c) Application for commercial vehicle registration.

12 (1) Application form. An applicant shall apply for commercial license plates through  
13 the appropriate county tax assessor-collector or the department, as applicable, upon forms  
14 prescribed by the director and shall require, at a minimum, the following information:

15 (A) owner name and complete address;

16 (B) complete description of vehicle, including empty weight; and

17 (C) vehicle identification number or serial number.

18 (2) Empty weight determination.

19 (A) The weight of a Motor Bus shall be the empty weight plus carrying  
20 capacity, in accordance with Transportation Code, §502.055.

21 (B) The weight of a vehicle cannot be lowered below the weight indicated  
22 on a Manufacturer's Certificate of Origin unless a corrected Manufacturer's Certificate of Origin is  
23 obtained.

1 (C) In all cases where the department questions the empty weight of a  
2 particular vehicle, the applicant should present a weight certificate from a public weight scale or  
3 the Department of Public Safety.

4 (3) Gross weight.

5 (A) Determination of Weight. The combined gross weight of vehicles  
6 registering for combination license plates shall be determined by the empty weight of the truck or  
7 truck-tractor combined with the empty weight of the heaviest semitrailer or semitrailers used or to  
8 be used in combination therewith, plus the heaviest net load to be carried on such combination  
9 during the motor vehicle registration year, provided that in no case may the combined gross  
10 weight be less than 18,000 pounds.

11 (B) Restrictions. The following restrictions apply to combined gross weights.

12 (i) After a truck or truck-tractor is registered for a combined gross  
13 weight, such weight cannot be lowered at any subsequent date during the registration year. The  
14 owner may, however, lower the gross weight when registering the vehicle for the following  
15 registration year, provided that the registered combined gross weight is sufficient to cover the  
16 heaviest load to be transported during the year and provided that the combined gross weight is  
17 not less than 18,000 pounds.

18 (ii) A combination of vehicles is restricted to a total gross weight not  
19 to exceed 80,000 pounds; however, all combinations may not qualify for 80,000 pounds unless  
20 such weight can be properly distributed in accordance with axle load limitations, and distance  
21 between axles, in accordance with Transportation Code, §621.101 or another section in  
22 Transportation Code, Chapters 621 through 623. [~~§623.011.~~]



1                   (4) Vehicle identification number or serial number. Ownership may [~~must~~] be  
2 established by a court order or by securing a bond if no vehicle identification number or serial  
3 number can be identified. Once ownership has been established, the department will assign a  
4 number upon payment of the fee.

5                   (5) Accompanying documentation. Unless otherwise exempted by law, completed  
6 applications for commercial license plates shall be accompanied by:

7                               (A) prescribed registration fees;

8                               (B) prescribed local fees or other fees that are collected in conjunction with  
9 registering a vehicle;

10                              (C) evidence of financial responsibility as required by Transportation Code,  
11 §502.046; however, if the applicant is a motor carrier as defined by §218.2 of this title (relating to  
12 Definitions), proof of financial responsibility may be in the form of a registration listing [~~or an~~  
13 ~~international stamp~~] indicating that the vehicle is registered in compliance with Chapter 218,  
14 Subchapter B of this title (relating to Motor Carrier Registration);

15                              (D) an application for Texas Title in accordance with Subchapter A of this  
16 chapter, or other proof of ownership;

17                              (E) proof of payment of the Federal Heavy Vehicle Use Tax, if applicable;

18                              (F) an original or certified copy of the current permit issued in accordance  
19 with Occupations Code, Chapter 2308, Subchapter C, if application is being made for Tow Truck  
20 license plates; and

21                              (G) other documents or fees required by law.

22                   ~~[(6) Proof of payment required. Proof of payment of the Federal Heavy Vehicle Use~~  
23 ~~Tax is required for vehicles with a gross registration weight of 55,000 pounds or more, or in cases~~

1 ~~where the vehicle's gross weight is voluntarily increased to 55,000 pounds or more. Proof of~~  
2 ~~payment shall consist of an original or photocopy of the Schedule 1 portion of Form 2290 received~~  
3 ~~by the Internal Revenue Service (IRS), or a copy of the Form 2290 with Schedule 1 attached as filed~~  
4 ~~with the IRS, along with a photocopy of the front and back of the canceled check covering the~~  
5 ~~payment to the IRS.]~~

6 [(7) Proof of payment not required. Proof of payment of the Federal Heavy Vehicle  
7 Use Tax is not required;]

8 [(A) for new vehicles when an application for title and registration is  
9 supported by a Manufacturer's Certificate of Origin;]

10 [(B) on used vehicles when an application for title and registration is filed  
11 within 60 days from the date of transfer to the applicant as reflected on the assigned title, except  
12 that proof of payment will be required when an application for Texas title and registration is  
13 accompanied by an out-of-state title that is recorded in the name of the applicant;]

14 [(C) when a vehicle was previously wrecked, in storage, or otherwise out of  
15 service and, therefore, not registered or operated during the current registration year or during  
16 the current tax year, provided that a non-use affidavit is signed by the operator; and]

17 [(D) as a prerequisite to registration of vehicles apprehended for operating  
18 without registration or reciprocity or when an owner or operator purchases temporary operating  
19 permits or additional weight.]

20 (d) Renewal of commercial license plates.

21 (1) Registration period. The department will establish the registration period for  
22 commercial vehicles, unless specified by statute. Commercial license plates are issued for  
23 established annual registration periods. ~~[as follows.]~~

1                   ~~[(A) March expiration. If a fleet under §217.54 of this title (relating to~~  
2 ~~Registration of Fleet Vehicles) contains a vehicle with a combination license plate, the established~~  
3 ~~annual registration period for the fleet is April 1st through March 31st.]~~

4                   ~~[(B) Five-year registration with March 31st expiration. The following license~~  
5 ~~plates are available with a five-year registration period. Registration fees for the license plates~~  
6 ~~listed below may be paid on an annual basis, or may be paid up front for the entire five-year~~  
7 ~~period:]~~

8                                 ~~[(i) Five-year Rental Trailer license plates issued for rental trailers~~  
9 ~~that are part of a rental fleet; and]~~

10                                ~~[(ii) Five-year Token Trailer license plates, available to owners of~~  
11 ~~semitrailers to be used in combination with truck tractors displaying Apportioned or Combination~~  
12 ~~license plates.]~~

13                   (2) Registration Renewal Notice. The department will send a registration renewal  
14 notice, indicating the proper registration fee and the month and year the registration expires, to  
15 each vehicle owner approximately six to eight weeks prior to the expiration of the vehicle's  
16 registration.

17                   (3) Return of registration renewal notices. Except for authorized online renewals,  
18 registration renewal notices should be returned by the vehicle owner to the department or the  
19 appropriate county tax assessor-collector, as indicated on the registration renewal notice. Unless  
20 otherwise exempted by law, registration renewal notices may be returned either in person or by  
21 mail, and shall be accompanied by:

22                                (A) statutorily prescribed registration renewal fees;

1 (B) prescribed local fees or other fees that are collected in conjunction with  
2 registration renewal;

3 (C) evidence of financial responsibility as required by Transportation Code,  
4 §502.046; and

5 (D) other prescribed documents or fees.

6 (4) Lost or destroyed registration renewal notice. If a registration renewal notice is  
7 lost, destroyed, or not received by the vehicle owner, the vehicle may be registered if the owner  
8 presents personal identification acceptable to the county tax assessor-collector. Failure to receive  
9 the notice does not relieve the owner of the responsibility to renew the vehicle's registration.

10 (e) Transfer of commercial vehicle license plates.

11 (1) Transfer between persons. With the exceptions noted in paragraph (3) of this  
12 subsection, when ownership of a vehicle displaying commercial vehicle license plates is  
13 transferred, application for transfer of such license plates shall be made with the county tax  
14 assessor-collector in the county in which the purchaser resides or a county tax assessor-collector  
15 who is willing to accept the application. If the purchaser does not intend to use the vehicle in a  
16 manner that would qualify it for the license plates issued to that vehicle, such license plates must  
17 be exchanged for the appropriate license plates.

18 (2) Transfer between vehicles. Commercial vehicle license plates are non-  
19 transferable between vehicles.

20 (3) Transfer of Apportioned and Tow Truck license plates. Apportioned and Tow  
21 Truck license plates are non-transferable between persons or vehicles, and become void if the  
22 vehicle to which the license plates were issued is sold.

1 (f) Replacement of lost, stolen, or mutilated commercial vehicle license plates. An owner of  
2 lost, stolen, or mutilated commercial vehicle license plates may obtain replacement license plates  
3 by filing an Application for Replacement Plates and remitting the prescribed fee to the county tax  
4 assessor-collector or from the department.

5

6 217.50. Equipment and Vehicles Within Road Construction Projects.

7 Road construction equipment (machinery type vehicles) operating laden or unladen within  
8 the limits of a project are not required to display the \$5 machinery license plate, regardless of the  
9 intermingling of regular vehicular traffic; however, conventional commercial vehicles operating  
10 within the limits of a project shall be required to be registered with regular commercial license  
11 plates whenever traffic is allowed to intermingle. [~~A highway construction project is that section of~~  
12 ~~the highway between the warning signs giving notice of a construction area.]~~

13

14 §217.51. Change of Classification: Trucks and Truck-Tractors.

15 When a truck is converted into a truck-tractor and the registration classification is changed  
16 from "truck" to "combination," an exchange of license plates is required; however, if a truck-  
17 tractor is converted into a truck and the registration classification is changed from "combination"  
18 to "truck" the license plates shall not be exchanged, unless the change involves a major permanent  
19 reconstruction change, such as when the frame of a truck-tractor is altered to accommodate the  
20 installation of a different type bed or body. In this instance, the owner must exchange license  
21 plates and file an application for corrected title. Under no circumstances will a refund in  
22 registration fees be authorized when a combination plate is exchanged for truck license plates as  
23 the result of a reconstruction change.

1

2 §217.52. Marketing of Specialty License Plates through a Private Vendor.

3 (a) Purpose and scope. The department will enter into a contract with a private vendor to  
4 market department-approved specialty license plates in accordance with Transportation Code,  
5 Chapter 504, Subchapter J. This section sets out the procedure for approval of the design,  
6 purchase, and replacement of vendor specialty license plates. In this section, the license plates  
7 marketed by the vendor are referred to as vendor specialty license plates.

8 (b) Application for approval of vendor specialty license plate designs.

9 (1) Approval required. The vendor shall obtain the approval of the board for each  
10 license plate design the vendor proposes to market in accordance with this section and the  
11 contract entered into between the vendor and the department.

12 (2) Application. The vendor must submit a written application on a form approved  
13 by the executive director to the department for approval of each license plate design the vendor  
14 proposes to market. The application must include:

15 (A) a draft design of the specialty license plate;

16 (B) projected sales of the license plate, including an explanation of how the  
17 projected figure was determined;

18 (C) a marketing plan for the license plate including a description of the  
19 target market;

20 (D) a licensing agreement from the appropriate third party for any design or  
21 design element that is intellectual property; and

22 (E) other information necessary for the board to reach a decision regarding  
23 approval of the requested vendor specialty license plate.

1 (c) Review and approval process. The board will review vendor specialty license plate  
2 applications. The board:

3 (1) will not consider incomplete applications; and

4 (2) may request additional information from the vendor to reach a decision.

5 (d) Board decision.

6 (1) Decision. The decision of the board will be based on:

7 (A) compliance with Transportation Code, Chapter 504, Subchapter J;

8 (B) the proposed license plate design, including:

9 (i) whether the design meets the legibility and reflectivity standards  
10 established by the department;

11 (ii) whether the design meets the standards established by the  
12 department for uniqueness to ensure that the proposed license plate complies with Transportation  
13 Code, §504.852(c);

14 (iii) whether the license plate design can accommodate the  
15 International Symbol of Access (ISA) as required by Transportation Code, §504.201(f);

16 (iv) the criteria designated in §217.27 of this title (relating to Vehicle  
17 Registration Insignia) as applied to the design;

18 (v) whether a design is similar enough to an existing license plate  
19 design that it may compete with the existing license plate sales; and

20 (vi) other information provided during the application process.

21 (2) Public comment on proposed design. All proposed license plate designs will be  
22 considered by the board as an agenda item at a regularly or specially called open meeting. Notice  
23 of consideration of proposed license plate designs will be posted in accordance with Office of the

1 Secretary of State meeting notice requirements. Notice of each license plate design will be posted  
2 on the department's Internet web site to receive public comment at least 25 days in advance of  
3 the meeting at which it will be considered. The department will notify all specialty license plate  
4 organizations and the sponsoring agencies who administer specialty license plates issued in  
5 accordance with Transportation Code, Chapter 504, Subchapter G, of the posting. A comment on  
6 the proposed design can be submitted in writing through the mechanism provided on the  
7 department's Internet web site for submission of comments. Written comments are welcome and  
8 must be received by the department at least 10 days in advance of the meeting. Public comment  
9 will be received at the board's meeting.

10 (e) Final approval and specialty license plate issuance.

11 (1) Approval. The board will approve or disapprove the specialty license plate  
12 application based on all of the information provided pursuant to this subchapter in an open  
13 meeting.

14 (2) Application not approved. If the application is not approved, the applicant may  
15 submit a new application and supporting documentation for the design to be considered again by  
16 the board if:

17 (A) the applicant has additional, required documentation; or

18 (B) the design has been altered to an acceptable degree.

19 (3) Issuance of approved specialty license plates.

20 (A) If the vendor's specialty license plate is approved, the vendor must  
21 submit the non-refundable start-up fee before any further design and processing of the specialty  
22 license plate.



1 (B) Approval of the specialty license plate does not guarantee that the  
2 submitted draft specialty license plate design will be used. The board has final approval of all  
3 specialty license plate designs and will provide guidance on the submitted draft design to ensure  
4 compliance with the format and specialty license plate specifications.

5 (f) Redesign of vendor specialty license plates.

6 (1) On receipt of a written request from the vendor, the department will allow a  
7 redesign of a vendor specialty license plate.

8 (2) The vendor must pay the redesign administrative costs as provided in the  
9 contract between the vendor and the department.

10 (g) Multi-year vendor specialty license plates. Purchasers will have the option of purchasing  
11 vendor specialty license plates for a one-year, a three-year, or a five-year period.

12 (h) License plate categories and associated fees. The categories and the associated fees for  
13 vendor specialty license plates are set out in this subsection.

14 (1) Custom license plates. Custom license plates include license plates with a  
15 variety of pre-approved background and character color combinations that may be personalized  
16 with either three alpha and two or three numeric characters or two or three numeric and three  
17 alpha characters. Generic license plates on standard white sheeting with the word "Texas" that  
18 may be personalized with up to six alphanumeric characters are considered custom license plates  
19 before December 2, 2010. The fees for issuance of Custom and Generic license plates are \$150 for  
20 one year, \$400 for three years, and \$450 for five years.

21 (2) T-Plates (Premium) license plates. T-Plates (Premium) license plates may be  
22 personalized with up to seven alphanumeric characters, including the "T," on colored backgrounds

1 or designs approved by the department. The fees for issuance of T-Plates (Premium) license plates  
2 are \$150 for one year, \$400 for three years, and \$450 for five years.

3 (3) Luxury license plates. Luxury license plates may be personalized with up to six  
4 alphanumeric characters on colored backgrounds or designs approved by the department. The fees  
5 for issuance of luxury license plates are \$150 for one year, \$400 for three years, and \$450 for five  
6 years.

7 (4) Freedom license plates. Freedom license plates include license plates with a  
8 variety of pre-approved background and character color combinations that may be personalized  
9 with up to seven alphanumeric characters. The fees for issuance of freedom license plates are  
10 \$195 for one year, \$445 for three years, and \$495 for five years.

11 (5) Background-only license plates. Background-only license plates include non-  
12 personalized license plates with a variety of pre-approved background and character color  
13 combinations and may be embossed or non-embossed.

14 (A) The fees for issuance of non-embossed, background only license plates are  
15 \$50 for one year, \$130 for three years, and \$175 for five years.

16 (B) Except as stated in subsection (h)(9)(C), the fees for embossed, background-only  
17 license plates are \$125 for one year, \$205 for three years, and \$250 for five years.

18 (6) Vendor souvenir license plates. Vendor souvenir license plates are replicas of  
19 vendor specialty license plate designs that may be personalized with up to 24 alphanumeric  
20 characters. Vendor souvenir license plates are not street legal or legitimate insignias of vehicle  
21 registration. The fee for issuance of souvenir license plates is \$40.

22 (7) Auction~~[of alphanumeric patterns]~~. The vendor may auction department-  
23 approved license plate numbers~~[alphanumeric patterns]~~ for one, three, or five year terms with

1 options to renew indefinitely at the current price established for a one, three, or five year luxury  
2 category license plate. The purchaser of the auction license plate number [pattern] may select from  
3 the vendor background designs, including any embossed license plate designs, at no additional  
4 charge at the time of initial issuance. The auction license plate number [pattern] may be moved  
5 from one vendor design plate to another vendor design license plate as provided in subsection  
6 (n)(1) of this section. The auction license plate number [pattern] may be transferred from owner to  
7 owner as provided in subsection (l)(2) of this section.

8 (8) Embossed, personalized specialty license plates. The vendor may sell embossed,  
9 personalized specialty license plates with a variety of pre-approved background and character color  
10 combinations that may be personalized with up to seven alphanumeric characters. Except as stated in  
11 subsection (h)(7) of this section, the fees for issuance of embossed, personalized specialty license plates  
12 are \$270 for one year, \$520 for three years, and \$570 for five years. Except as stated in subsection  
13 (h)(9)(C) of this section, the fees under subsection (h)(9) of this section do not apply to an embossed,  
14 personalized specialty license plate.

15 (9) Personalization and specialty license plate fees.

16 (A) The fee for the personalization of license plates applied for prior to  
17 November 19, 2009 is \$40 if the license plates are renewed annually.

18 (B) The personalization fee for license plates applied for after November 19,  
19 2009 is \$40 if the license plates are issued pursuant to Transportation Code, Chapter 504,  
20 Subchapters G and I.

21 (C) If the license plates are renewed annually, the personalization and  
22 specialty license plate fees remain the same fee as at the time of issuance if a sponsor of a  
23 specialty license plate authorized under Transportation Code, Chapter 504, Subchapters G and I

1 signs a contract with the vendor in accordance with Transportation Code, Chapter 504, Subchapter  
2 J, even if the board approves the specialty license plate to be an embossed specialty license plate  
3 design.

4 (i) Payment of fees.

5 (1) Payment of specialty license plate fees. The fees for issuance of vendor specialty  
6 license plates will be paid directly to the state through vendor and state systems for the license  
7 plate category and period selected by the purchaser. A person who purchases a multi-year vendor  
8 specialty license plate must pay upon purchase the full fee which includes the renewal fees.

9 (2) Payment of statutory registration fees. To be valid for use on a motor vehicle,  
10 the license plate owner is required to pay, in addition to the vendor specialty license plate fees,  
11 any statutorily required registration fees in the amount as provided by Transportation Code,  
12 Chapter 502, and this subchapter.

13 (j) Refunds. Fees for vendor specialty license plate fees will not be refunded after an  
14 application is submitted to the vendor and the department has approved issuance of the license  
15 plate.

16 (k) Replacement.

17 (1) Application. An owner must apply directly to the county tax assessor-collector  
18 for the issuance of replacement vendor specialty license plates and must pay the fee described in  
19 paragraphs (2) or (3) of this subsection, whichever applies.

20 (2) Lost or mutilated vendor specialty license plates. To replace vendor specialty  
21 license plates that are lost or mutilated, the owner must pay the statutory replacement fee  
22 provided in Transportation Code, §504.007.

1           (3) Optional replacements. An owner of a vendor specialty license plate may  
2 replace vendor specialty license plates by submitting a request to the county tax assessor-collector  
3 accompanied by the payment of a \$6 fee.

4           (4) Interim replacement tags. If the vendor specialty license plates are lost or  
5 mutilated to such an extent that they are unusable, replacement specialty license plates ~~may~~ ~~[will~~  
6 ~~need to]~~ be remanufactured. The county tax assessor-collector will issue interim replacement tags for  
7 use until the replacements are available. The owner's vendor specialty license plate number will be  
8 shown on the interim replacement tags.

9           (5) Stolen vendor specialty license plates. The county tax assessor-collector will not  
10 approve the issuance of replacement vendor specialty license plates with the same license plate  
11 number if the department's records indicate that the vehicle displaying that license plate number  
12 was reported stolen or the license plates themselves were reported stolen to law enforcement.

13           (I) Transfer of vendor specialty license plates.

14           (1) Transfer between vehicles. The owner of a vehicle with vendor specialty license  
15 plates may transfer the specialty license plates between vehicles by filing an application through  
16 the county tax assessor-collector if the vehicle to which the specialty license plates are  
17 transferred:

18                           (A) is titled or leased in the owner's name; and

19                           (B) meets the vehicle classification requirements for that ~~[particular]~~  
20 specialty license plate.

21           (2) Transfer between owners. Vendor specialty license plates may not be  
22 transferred between persons unless the specialty license plate number ~~[pattern]~~ was initially  
23 purchased through auction as provided in subsection (h)(7) of this section. An auctioned license plate

1 number [~~alphanumeric pattern~~] may be transferred as a specialty license plate or as a virtual pattern to  
2 be manufactured on a new background as provided under the restyle option in subsection (n)(1) of this  
3 section. In addition to the fee paid at auction, the new owner of an auctioned license plate number  
4 [~~alphanumeric pattern~~] or plate will pay the department a fee of \$25 to cover the cost of the transfer,  
5 and complete the department's prescribed application at the time of transfer.

6 (m) Gift license plates.

7 (1) A person may purchase license plates as a gift for another person if the  
8 purchaser submits a statement that provides:

9 (A) the purchaser's name and address;

10 (B) the name and address of the person who will receive the license plates;

11 and

12 (C) the vehicle identification number of the vehicle on which the license  
13 plates will be displayed or a statement that the license plates will not be displayed on a vehicle.

14 (2) To be valid for use on a motor vehicle, the recipient of the license plates must  
15 file an application with the county tax assessor-collector and pay the statutorily required  
16 registration fees in the amount as provided by Transportation Code, Chapter 502, and this  
17 subchapter.

18 (n) Restyled vendor specialty license plates. A person who has purchased a multi-year  
19 vendor specialty license plate may request a restyled license plate at any time during the term of  
20 the plate.

21 (1) For the purposes of this subsection, "restyled license plate" is a vendor specialty  
22 license plate that has a different style from the originally purchased vendor specialty license plate  
23 but:

1 (A) is within the same price category, except if the license plate number was  
2 purchased through auction [~~pattern is an auction pattern~~] and has the same alpha-numeric  
3 characters and expiration date as the previously issued multi-year license plates; or

4 (B) is restyling from a non-embossed specialty license plate style to an  
5 embossed specialty license plate style and has the same alpha-numeric characters and expiration  
6 date as the previously issued multi-year license plates.

7 (2) The fee for each restyled license plate is:

8 (A) \$50 for restyling under subsection (n)(1)(A) of this section; or

9 (B) \$75 for restyling under subsection (n)(1)(B) of this section.

10

11 §217.53. Disposition [~~Removal~~] of License Plates and Registration Insignia upon Sale or Transfer of  
12 Motor Vehicle.

13 (a) Upon the sale or transfer of a motor vehicle to a dealer that holds a general distinguishing  
14 number (dealer), general issue license plates shall be removed and retained for issuance to a  
15 subsequent retail purchaser of that motor vehicle and the registration insignia shall be removed and  
16 disposed of by the dealer as provided in Transportation Code, §502.491, §504.901, and §215.158 of this  
17 title (relating to General Requirements for Buyer’s License Plates). If a dealer transfers a motor vehicle in  
18 a transaction other than a retail sale, the removed general issue license plates shall transfer with the  
19 motor vehicle. [~~Purpose. Transportation Code, Chapter 502, Subchapter L and Chapter 504,~~  
20 ~~Subchapter K, provide for the removal of the license plates and registration insignia when a motor~~  
21 ~~vehicle is sold or transferred. Motor vehicles eligible for this process are limited to a passenger car~~  
22 ~~or a light truck, as those terms are defined in Transportation Code, §502.001.]~~

1           (b) Upon the sale or transfer of a motor vehicle in which neither party is a dealer, the  
2 registration insignia and the general issue license plates remain with the motor vehicle as provided in  
3 Transportation Code, §502.491(b) and §504.901. [~~Disposition of removed license plates. License~~  
4 ~~plates removed from a motor vehicle by a licensed motor vehicle dealer or by a motor vehicle~~  
5 ~~owner in a private transaction as provided in Transportation Code, §502.491, may be:}]~~

6                   [~~(1) transferred to another vehicle:}]~~

7                           [~~(A) that is titled or will be titled in the same owner name as the vehicle~~  
8 ~~from which the license plates were removed;}]~~

9                           [~~(B) that is of the same vehicle classification (passenger car or light truck) as~~  
10 ~~the vehicle from which the license plates were removed; and]~~

11                           [~~(C) upon acceptance of a request to transfer the license plate by the county~~  
12 ~~tax assessor-collector in which the application is filed as provided by Transportation Code,~~  
13 ~~§501.023 or §502.040, whichever applies;}]~~

14                   [~~(2) disposed of in a manner that renders the license plates unusable or that~~  
15 ~~ensures the license plates will not be available for fraudulent use on a motor vehicle; or]~~

16                   [~~(3) retained by the owner of the motor vehicle from which the license plates were~~  
17 ~~removed.}]~~

18           (c) A license plate other than a general issue license plate shall be removed by the owner of a  
19 motor vehicle that is sold or transferred. Removed license plates may be transferred if eligible;  
20 otherwise, must be disposed of in a manner that renders the license plates unusable or that ensures the  
21 license plates will not be available for fraudulent use on a motor vehicle.

22                   [~~(c) Vehicle transit permit.}]~~



1           ~~[(1) Obtaining a vehicle transit permit. A person who obtains a motor vehicle in a~~  
2 ~~private transaction may obtain one vehicle transit permit (temporary single-trip permit), through~~  
3 ~~the department's website at www.txdmv.gov if the seller or transferor has removed the license~~  
4 ~~plates and registration insignia.]~~

5           ~~[(2) Restrictions. The permit, which is valid only for the period shown on the~~  
6 ~~permit, may be used for operation of the motor vehicle only as provided in Transportation Code,~~  
7 ~~§502.492, and must be carried in the vehicle at all times. The permit may only be used on~~  
8 ~~passenger vehicles 6,000 pounds or less and light trucks with a gross vehicle weight of 10,000~~  
9 ~~pounds or less.]~~

10           (d) If the purchaser at a retail sale chooses to obtain replacement general issue license plates,  
11 the replaced license plates must be disposed of in a manner that renders the license plates unusable or  
12 that ensures the license plates will not be available for fraudulent use on a motor vehicle.

13  
14           §217.54. Registration of Fleet Vehicles.

15           (a) Scope. A registrant may consolidate the registration of multiple motor vehicles in a fleet  
16 instead of registering each vehicle separately. A fleet may include trailers and semitrailers. Except  
17 as provided by §217.55 of this title (relating to Exempt and Alias Vehicle Registration), to  
18 consolidate registration, a registration must meet the requirements of this section.

19           (b) Eligibility. A fleet must meet the following requirements to be eligible for fleet  
20 registration.

21                   (1) No fewer than 12 vehicles will be registered as a fleet;

22                   (2) Vehicles may be registered in annual increments for up to eight years;

23                   (3) All vehicles in a fleet must be owned by or leased to the same business entity;

1                   (4) All vehicles must be vehicles that are not registered under the International  
2 Registration Plan; and

3                   (5) Each vehicle must currently be titled in Texas or be issued a registration receipt,  
4 or the registrant must submit an application for a title or registration for each vehicle.

5                   (c) Application.

6                   (1) Application for fleet registration must be in a form prescribed by the  
7 department. At a minimum the form will require:

8                                 (A) the full name and complete address of the registrant;

9                                 (B) a description of each vehicle in the fleet, which may include the vehicle's  
10 model year, make, model, vehicle identification number, document number, body style, gross  
11 weight, empty weight, and for a commercial vehicle, manufacturer's rated carrying capacity in  
12 tons;

13                                (C) the existing license plate number, if any, assigned to each vehicle; and

14                                (D) any other information that the department may require.

15                   (2) The application must be accompanied by the following items:

16                                (A) in the case of a leased vehicle, a certification that the vehicle is currently  
17 leased to the person to whom the fleet registration will be issued;

18                                (B) registration fees prescribed by law for the entire registration period  
19 selected by the registrant;

20                                (C) local fees or other fees prescribed by law and collected in conjunction  
21 with registering a vehicle for the entire registration period selected by the registrant;

22                                (D) evidence of financial responsibility for each vehicle as required by  
23 Transportation Code, §502.046, unless otherwise exempted by law;

- 1 (E) annual proof of payment of Heavy Vehicle Use Tax;
- 2 (F) any fees that are required to be collected at the time of registration
- 3 under Transportation Code, §548.509 for the first year of registration under Transportation Code,
- 4 §502.0023; [the state's portion of the vehicle inspection fee ;] and
- 5 (G) any other documents or fees required by law.
- 6 (d) Registration period.
- 7 (1) The fleet owner will designate a single registration period for a fleet so the
- 8 registration period for each vehicle will expire on the same date.
- 9 (2) The fleet registration period will begin on the first day of a calendar month and
- 10 end on the last day of a calendar month.
- 11 (e) Registration receipt and fleet license plates.
- 12 (1) As evidence of registration, the department will issue a registration receipt and
- 13 one or two metal fleet license plates for each vehicle in a fleet.
- 14 (2) The registration receipt for each vehicle shall at all times be carried in that
- 15 vehicle and be available to law enforcement personnel upon request.
- 16 (3) A registration receipt or fleet license plate may not be transferred between
- 17 vehicles, owners, or registrants.
- 18 (f) Fleet composition.
- 19 (1) A registrant may add a vehicle to a fleet at any time during the registration
- 20 period. An added vehicle will be given the same registration period as the fleet and will be issued
- 21 one or two metal fleet license plates and a registration receipt.
- 22 (2) A registrant may remove a vehicle from a fleet at any time during the
- 23 registration period. After a vehicle is removed from the fleet, the fleet registrant shall either

1 return the metal fleet license plates for that vehicle to the department or provide the department  
2 with acceptable proof that the metal fleet license plates for that vehicle have been destroyed.  
3 Credit for any vehicle removed from the fleet for the remaining full year increments can be applied  
4 to any vehicle added to the fleet or at the time of renewal. No refunds will be given if credit is not  
5 used or the account is closed.

6 (3) If the number of vehicles in an account falls below 12 during the registration  
7 period, fleet registration will remain in effect. If the number of vehicles in an account is below 12  
8 at the end of the registration period, fleet registration will be canceled. In the event of  
9 cancellation, each vehicle shall be registered separately. The registrant shall immediately either  
10 return all metal fleet license plates to the department or provide the department with acceptable  
11 proof that the metal fleet license plates have been destroyed.

12 (g) Fees.

13 (1) When a fleet is first established, the department will charge a registration fee  
14 for each vehicle for the entire registration period selected. A currently registered vehicle, however,  
15 will be given credit for any remaining time on its separate registration.

16 (2) When a vehicle is added to an existing fleet, the department will charge a  
17 registration fee that is prorated based on the number of months of fleet registration remaining. If  
18 the vehicle is currently registered, this fee will be adjusted to provide credit for the number of  
19 months of separate registration remaining.

20 (3) When a vehicle is removed from fleet registration, it will be considered to be  
21 registered separately. The vehicle's separate registration will expire on the date that the fleet  
22 registration would have expired. The registrant must pay the statutory replacement fee to obtain  
23 regular registration insignia before the vehicle may be operated on a public highway.

1                   (4) In addition to the registration fees prescribed by Transportation Code, Chapter  
2 502, an owner registering a fleet under this section must pay a one-time fee of \$10 per motor  
3 vehicle, semitrailer, or trailer in the fleet. This fee is also due as follows:

4                               (A) for each vehicle added to the owner's existing fleet; and

5                               (B) for each vehicle that a buyer registers as a fleet, even though the seller  
6 previously registered some or all of the vehicles as a fleet under this section.

7                   (h) Payment. Payment will be made in the manner prescribed by the department.

8                   (i) Cancellation.

9                               (1) The department will cancel registration for non-payment and lack of proof of  
10 annual payment of the Heavy Vehicle Use Tax.

11                              (2) The department may cancel registration on any fleet vehicle on the anniversary  
12 date of the registration if the fleet vehicle is not in compliance with the inspection requirements  
13 under Transportation Code, Chapter 548 or the inspection requirements in the rules of the Texas  
14 Department of Public Safety.

15                              (3) A vehicle with a canceled registration may not be operated on a public highway.

16                              (4) If the department cancels the registration of a vehicle under this subsection, the  
17 registrant can request the department to reinstate the registration by doing the following:

18                                       (A) complying with the requirements for which the department canceled  
19 the registration;

20                                       (B) providing the department with notice of compliance on a form  
21 prescribed by the department; and

22                                       (C) for a registration canceled under paragraph (2) of this subsection, paying  
23 an administrative fee in the amount of \$10.

1 (5) A registrant is eligible for reinstatement of the registration only within 90  
2 calendar days of the department's notice of cancellation.

3 (6) If a registrant fails to timely reinstate the registration of a canceled vehicle  
4 registration under this section, the registrant:

5 (A) is not entitled to a credit or refund of any registration fees for the  
6 vehicle; and

7 (B) must immediately either return the metal fleet license plates to the  
8 department or provide the department with acceptable proof that the metal fleet license plates  
9 have been destroyed.

10 (j) Inspection fee. The registrant must pay the department by the deadline listed in the  
11 department's invoice for any fees that are required to be collected at the time of registration  
12 under Transportation Code, §548.509 on an annual basis under Transportation Code, §502.0023.  
13 [~~the state's portion of the vehicle inspection fee.~~]

14  
15 §217.55. Exempt and Alias Vehicle Registration.

16 (a) Exempt license plate registration.

17 (1) Issuance. Pursuant to Transportation Code, §502.453 or §502.456, certain  
18 vehicles owned by and used exclusively in the service of a governmental agency, owned by a  
19 commercial transportation company and used exclusively for public school transportation services,  
20 designed and used for fire-fighting or owned by a volunteer fire department and used in the  
21 conduct of department business, privately owned and used in volunteer county marine law  
22 enforcement activities, used by law enforcement under an alias for covert criminal investigations,  
23 owned by units of the United States Coast Guard Auxiliary headquartered in Texas and used

1 exclusively for conduct of United States Coast Guard or Coast Guard Auxiliary business and  
2 operations, or owned or leased by a non-profit emergency medical service provider are exempt  
3 from payment of a registration fee and are eligible for exempt plates.

4 (2) Application for exempt registration.

5 (A) Application. An application for exempt license plates shall be made to  
6 the county tax assessor-collector, shall be made on a form prescribed by the department, and shall  
7 contain the following information:

8 (i) vehicle description;

9 (ii) name of the exempt agency;

10 (iii) a certification by an authorized person stating that the vehicle is  
11 owned or under the control of and will be operated by the exempt agency; and

12 (iv) a certification that each vehicle listed on the application has the  
13 name of the exempt agency printed on each side of the vehicle in letters that are at least two  
14 inches high or in an emblem that is at least 100 square inches in size and of a color sufficiently  
15 different from the body of the vehicle as to be clearly legible from a distance of 100 feet, unless  
16 the applicant complies with the requirements under this section for each vehicle that is exempt by  
17 law from the inscription requirements.

18 (B) Emergency medical service vehicle.

19 (i) The application for exempt registration must contain the vehicle  
20 description, the name of the emergency medical service provider, and a statement signed by an  
21 officer of the emergency medical service provider stating that the vehicle is used exclusively as an  
22 emergency response vehicle and qualifies for registration under Transportation Code, §502.456.

1 (ii) A copy of an emergency medical service provider license issued  
2 by the Department of State Health Services must accompany the application.

3 (C) Fire-fighting vehicle. The application for exempt registration of a fire-  
4 fighting vehicle or vehicle owned privately by a volunteer fire department and used exclusively in  
5 the conduct of department business must contain the vehicle description, including a description  
6 of any fire-fighting equipment mounted on the vehicle if the vehicle is a fire-fighting vehicle. The  
7 certification must be executed by the person who has the proper authority and shall state either:

8 (i) the vehicle is designed and used exclusively for fire-fighting; or

9 (ii) the vehicle is owned by a volunteer fire department and is used  
10 exclusively in the conduct of its business.

11 (D) County marine law enforcement vehicle. The application for exempt  
12 registration of a privately-owned vehicle used by a volunteer exclusively in county marine law  
13 enforcement activities, including rescue operations, under the direction of the sheriff's  
14 department must include a statement signed by a person having the authority to act for a sheriff's  
15 department verifying that fact.

16 (E) United States Coast Guard Auxiliary vehicle. The application for exempt  
17 registration of a vehicle owned by units of the United States Coast Guard Auxiliary headquartered  
18 in Texas and used exclusively for conduct of United States Coast Guard or Coast Guard Auxiliary  
19 business and operation, including search and rescue, emergency communications, and disaster  
20 operations, must include a statement by a person having authority to act for the United States  
21 Coast Guard Auxiliary that the vehicle or trailer is used exclusively in fulfillment of an authorized  
22 mission of the United States Coast Guard or Coast Guard Auxiliary, including search and rescue,  
23 emergency communications, or disaster operations.



1 (F) Motor vehicles owned and used by state-supported institutions. If the  
2 applicant is exempt from the inscription requirements under Education Code §51.932, the  
3 applicant must present a certification that each vehicle listed on the application is exempt from  
4 the inscription requirements under Education Code §51.932.

5 (3) Exception. A vehicle may be exempt from payment of a registration fee but  
6 display license plates other than exempt license plates if the vehicle is not registered under  
7 subsection (b) of this section.

8 (A) If the applicant is a law enforcement office, the applicant must present a  
9 certification that each vehicle listed on the application will be dedicated to law enforcement  
10 activities.

11 (B) If the applicant is exempt from the inscription requirements under  
12 Transportation Code, §721.003, the applicant must present a certification that each vehicle listed  
13 on the application is exempt from inscription requirements under Transportation Code, §721.003.  
14 The applicant must also provide a citation to the section that exempts the vehicle.

15 (C) If the applicant is exempt from the inscription requirements under  
16 Transportation Code, §721.005 the applicant must present a certification that each vehicle listed  
17 on the application is exempt from inscription requirements under Transportation Code, §721.005.  
18 The applicant must also provide a copy of the order or ordinance that exempts the vehicle.

19 (b) Affidavit for issuance of exempt registration under an alias.

20 (1) On receipt of an affidavit for alias exempt registration, approved by the  
21 executive administrator of an exempt law enforcement agency, the department will issue alias  
22 exempt license plates for a vehicle and register the vehicle under an alias for the law enforcement  
23 agency's use in covert criminal investigations.

1                   (2) The affidavit for alias exempt registration must be in a form prescribed by the  
2 director and must include the vehicle description, a sworn statement that the vehicle will be used  
3 in covert criminal investigations, and the signature of the executive administrator or the executive  
4 administrator's designee as provided in paragraph (3) of this subsection. The vehicle registration  
5 insignia of any vehicles no longer used in covert criminal investigations shall be surrendered  
6 immediately to the department.

7                   (3) The executive administrator, by annually filing an authorization with the  
8 director, may appoint a staff designee to execute the affidavit. A new authorization must be filed  
9 when a new executive administrator takes office.

10                  (4) The letter of authorization must contain a sworn statement delegating the  
11 authority to sign the affidavit to a designee, the name of the designee, and the name and the  
12 signature of the executive administrator.

13                  (5) The affidavit for alias exempt registration must be accompanied by an [by a  
14 title] application required by the department to create the alias record of vehicle registration and  
15 title as outlined in §217.13 of this title (relating to Alias Certificate of Title)[under §217.103 of this  
16 title (relating to Restitution Liens)]. The application must contain the information required by the  
17 department to create the alias record of vehicle registration and title.

18                  (c) Replacement of exempt registration.

19                  (1) If a metal exempt license plate is lost, stolen, or mutilated, a properly executed  
20 application for metal exempt license plates must be submitted to the county tax assessor-  
21 collector.

22                  (2) An application for replacement metal exempt license plates must contain the  
23 vehicle description, original license number, and the sworn statement that the license plates

1 furnished for the vehicle have been lost, stolen, or mutilated and will not be used on any other  
2 vehicle.

3 (d) Title requirements. Unless exempted by statute, a vehicle must be titled at the time the  
4 exempt registration is issued.

5 (e) Extended Registration of County Fleet Vehicles.

6 (1) Subsections (a)(2), (a)(3)(B), and (c) of this section do not apply under this  
7 subsection.

8 (2) The owner of the exempt county fleet must file a completed application for  
9 exempt county fleet registration on a form prescribed by the department, and shall contain the  
10 following information:

11 (A) vehicle description;

12 (B) name of the exempt agency;

13 (C) a certification by an authorized person stating that the vehicle is owned  
14 by and used exclusively in the service of the county;

15 (D) a certification that each vehicle listed on the application has the name  
16 of the exempt agency printed on each side of the vehicle in letters that are at least two inches high  
17 or in an emblem that is at least 100 square inches in size and of a color sufficiently different from  
18 the body of the vehicle as to be clearly legible from a distance of 100 feet, unless the applicant  
19 complies with the requirements under this section for each vehicle that is exempt by law from the  
20 inscription requirements; and

21 (E) designation of a single registration period for the fleet to ensure that the  
22 registration period for each vehicle will expire on the same last day of a calendar month.

1                   (3) The application for exempt county fleet registration must be accompanied by  
2 any fees that are required to be collected at the time of registration under Transportation Code,  
3 §548.509 for the first year of registration under Transportation Code, §502.0025. [~~the state's~~  
4 ~~portion of the vehicle inspection fees.]~~

5                   (4) As evidence of registration, the department will issue a registration receipt and  
6 one or two metal exempt fleet license plates for each vehicle in the exempt county fleet. The  
7 registration receipt for each vehicle must be carried in that vehicle at all times and be made  
8 available to law enforcement personnel upon request. The registration receipt and exempt fleet  
9 license plates may not be transferred between vehicles, owners, or registrants.

10                   (5) An owner may add or remove a vehicle from an exempt county fleet at any time  
11 during the registration period. An added vehicle will be given the same registration period as the  
12 other vehicles in the exempt county fleet and will be issued a registration receipt and one or two  
13 metal exempt fleet license plates. Upon the removal of a vehicle from the exempt county fleet, the  
14 owner of the vehicle shall dispose of the registration receipt and shall either return the metal  
15 exempt fleet license plates to the department or provide the department with acceptable proof  
16 that the metal exempt fleet license plates have been destroyed.

17                   (6) An owner must pay the department by the deadline listed in the department's  
18 invoice for any fees that are required to be collected at the time of registration under  
19 Transportation Code, §548.509 on an annual basis under Transportation Code, §502.0025. [~~the~~  
20 ~~state's portion of the vehicle inspection fee.]~~ Payment shall be made in the manner prescribed by  
21 the department.

22                   (7) The department may cancel registration on an exempt county fleet or any  
23 vehicle in an exempt county fleet on the anniversary date of the registration if the vehicle is not in

1 compliance with Transportation Code §502.0025, this subsection, the inspection requirements  
2 under Transportation Code Chapter 548, or the inspection requirements in the rules of the Texas  
3 Department of Public Safety. A vehicle with a canceled registration may not be operated on a  
4 public highway.

5 (8) If the department cancels the registration of a vehicle in an exempt county fleet  
6 under subsection (e)(7) of this section, the owner may request that the department reinstate the  
7 registration. To request reinstatement, the owner must comply with the requirements that led the  
8 department to cancel the registration and must provide the department with notice of compliance  
9 on a form prescribed by the department. An owner is eligible for reinstatement of the registration  
10 of a vehicle in an exempt county fleet if the department receives the owner's request for  
11 reinstatement and proof of compliance no later than 90 calendar days after the date of the  
12 department's notice of cancellation. If the department does not timely receive an owner's request  
13 to reinstate the registration, the owner must immediately do the following:

14 (A) either return all metal exempt county fleet license plates to the  
15 department or provide the department with acceptable proof that the metal exempt county fleet  
16 license plates have been destroyed; and

17 (B) dispose of the registration receipt in a manner prescribed by the  
18 department.

19 (9) If a metal exempt county fleet license plate is lost, stolen, or mutilated, the  
20 owner may request a new metal exempt county fleet license plate from the department. The  
21 request must include the following:

1 (A) a certification that the previously issued metal exempt county fleet  
2 license plate furnished for the vehicle has been lost, stolen, or mutilated and that the new metal  
3 exempt county fleet license plate will not be used on any other vehicle;

4 (B) the vehicle description; and

5 (C) the original license plate number, if applicable.

6

7 §217.56. Registration Reciprocity Agreements.

8 (a) Purpose. To promote and encourage the fullest possible use of the highway system and  
9 contribute to the economic development and growth of the State of Texas and its residents, the  
10 department is authorized by Transportation Code, §502.091 to enter into agreements with duly  
11 authorized officials of other jurisdictions, including any state of the United States, the District of  
12 Columbia, a foreign country, a state or province of a foreign country, or a territory or possession of  
13 either the United States or of a foreign country, and to provide for the registration of vehicles by  
14 Texas residents and nonresidents on an allocation or distance apportionment basis, and to grant  
15 exemptions from the payment of registration fees by nonresidents if the grants are reciprocal to  
16 Texas residents.

17 (b) Definitions. The following words and terms, when used in this section, shall have the  
18 following meanings, unless the context clearly indicates otherwise:

19 (1) Cab card--The apportioned vehicle registration receipt that contains, but is not  
20 limited to, the vehicle description and the registered weight at which the vehicle may operate in  
21 each jurisdiction.

22 (2) Department--The Texas Department of Motor Vehicles.

1 (3) Director--The director of the Motor Carrier Division, Texas Department of Motor  
2 Vehicles.

3 (4) Executive director--The chief executive officer of the department.

4 (5) Regional Service Center--A department office which provides specific services to  
5 the public, including replacement titles, bonded title notices of determination [~~rejection letters~~],  
6 and apportioned registration under the International Registration Plan (IRP).

7 (6) Temporary cab card--A temporary registration [~~permit~~] authorized by the  
8 department that allows the operation of a vehicle for 30 days subject to all rights and privileges  
9 afforded to a vehicle displaying apportioned registration.

10 (c) Multilateral agreements.

11 (1) Authority. The executive director may on behalf of the department enter into a  
12 multilateral agreement with the duly authorized officials of two or more other jurisdictions to  
13 carry out the purpose of this section.

14 (2) International Registration Plan.

15 (A) Applicability. The IRP is a registration reciprocity agreement among  
16 states of the United States and other jurisdictions providing for payment of registration fees on the  
17 basis of fleet distance operated in various jurisdictions. Its purpose is to promote and encourage  
18 the fullest possible use of the highway system by authorizing apportioned registration for  
19 commercial motor vehicles and payment of appropriate vehicle registration fees and thus  
20 contributing to the economic development and growth of the member jurisdictions.

21 (B) Adoption. The department adopts by reference the January 1, 2024,  
22 [~~2022~~,] version of the IRP. The department also adopts by reference the January 1, 2016, version of  
23 the IRP Audit Procedures Manual. In the event of a conflict between this section and the IRP or the

1 IRP Audit Procedures Manual, the IRP and the IRP Audit Procedures Manual control. Copies of the  
2 documents are available online at [www.irponline.org](http://www.irponline.org) or on request to the department. [~~for review~~  
3 ~~in the Motor Carrier Division, Texas Department of Motor Vehicles. Copies are also available on~~  
4 ~~request.~~]

5 (C) Application.

6 (i) An applicant must submit an application to the department on a  
7 form prescribed by the director, along with additional documentation as required by the director.  
8 An applicant shall provide the department with a copy of the applicant's receipt under the Unified  
9 Carrier Registration System Plan and Agreement under 49 U.S.C. §14504a (UCR) to prove the  
10 applicant is currently registered under UCR if the applicant is required to register under UCR.

11 (ii) Upon approval of the application, the department will compute  
12 the appropriate registration fees and notify the registrant.

13 (D) Fees. Upon receipt of the applicable fees in the form as provided by  
14 §209.23 of this title (relating to Methods of Payment), the department will issue one or two license  
15 plates and a cab card for each vehicle registered.

16 (E) Display of License Plates and Cab Cards.

17 (i) The department will issue one license plate for a tractor, truck-  
18 tractor, trailer, and semitrailer. The license plate issued to a tractor or a truck-tractor shall be  
19 installed on the front of the tractor or truck-tractor, and the license plate issued for a trailer or  
20 semitrailer shall be installed on the rear of the trailer or semitrailer.

21 (ii) The department will issue two license plates for all other vehicles  
22 that are eligible to receive license plates under the IRP. Once the department issues two license



1 plates for a vehicle listed in this clause, one plate shall be installed on the front of the vehicle, and  
2 one plate shall be installed on the rear of the vehicle.

3 (iii) The cab card shall be carried at all times in the vehicle in  
4 accordance with the IRP. If the registrant chooses to display an electronic image of the cab card on  
5 a wireless communication device or other electronic device, such display does not constitute  
6 consent for a peace officer, or any other person, to access the contents of the device other than  
7 the electronic image of the cab card.

8 (iv) The authority to display an electronic image of the cab card on a  
9 wireless communication device or other electronic device does not prevent the Texas State Office  
10 of Administrative Hearings or a court of competent jurisdiction from requiring the registrant to  
11 provide a paper copy of the cab card in connection with a hearing, trial, or discovery proceeding.

12 (F) Audit. An audit of the registrant's vehicle operational records may be  
13 conducted by the department according to the IRP provisions and the IRP Audit Procedures  
14 Manual. Upon request, the registrant shall provide the operational records of each vehicle for  
15 audit in unit number order, in sequence by date, and including, but not limited to, a summary of  
16 distance traveled by each individual vehicle on a monthly, quarterly, and annual basis with  
17 distance totaled separately for each jurisdiction in which the vehicle traveled.

18 (G) Assessment. The department may assess additional registration fees of  
19 up to 100% of the apportionable fees paid by the registrant for the registration of its fleet in the  
20 registration year to which the records pertain, as authorized by the IRP, if an audit conducted  
21 under subparagraph (F) of this paragraph reveals that:

22 (i) the operational records indicate that the vehicle did not generate  
23 interstate distance in two or more member jurisdictions for the distance reporting period

1 supporting the application being audited, plus the six-month period immediately following that  
2 distance reporting period;

3 (ii) the registrant failed to provide complete operational records; or

4 (iii) the distance must be adjusted, and the adjustment results in a  
5 shortage of registration fees due Texas or any other IRP jurisdiction.

6 (H) Refunds. If an audit conducted under subparagraph (F) of this paragraph  
7 reveals an overpayment of fees to Texas or any other IRP jurisdiction, the department will refund  
8 the overpayment of registration fees in accordance with Transportation Code, §502.195 and the  
9 IRP. Any registration fees refunded to a carrier for another jurisdiction will be deducted from  
10 registration fees collected and transmitted to that jurisdiction.

11 (I) Cancellation or revocation. The director or the director's designee may  
12 cancel or revoke a registrant's apportioned registration and all privileges provided by the IRP as  
13 authorized by the following:

14 (i) the IRP; or

15 (ii) Transportation Code, Chapter 502.

16 (J) Procedures for assessment, cancellation, or revocation.

17 (i) Notice. If a registrant is assessed additional registration fees, as  
18 provided in subparagraph (G) of this paragraph, and the additional fees are not paid by the due  
19 date provided in the notice or it is determined that a registrant's apportioned license plates and  
20 privileges should be canceled or revoked, as provided in subparagraph (I) of this paragraph, the  
21 director or the director's designee will mail a notice by certified mail to the last known address of  
22 the registrant. The notice will state the facts underlying the assessment, cancellation, or

1 revocation; the effective date of the assessment, cancellation, or revocation; and the right of the  
2 registrant to request a conference as provided in clause (ii) of this subparagraph.

3 (ii) Conference. A registrant may request a conference upon receipt  
4 of a notice issued as provided by clause (i) of this subparagraph. The request must be made in  
5 writing to the director or the director's designee within 30 days of the date of the notice. If timely  
6 requested, the conference will be scheduled and conducted by the director or the director's  
7 designee at division headquarters in Austin and will serve to abate the assessment, cancellation, or  
8 revocation unless and until that assessment, cancellation, or revocation is affirmed or disaffirmed  
9 by the director or the director's designee. In the event matters are resolved in the registrant's  
10 favor, the director or the director's designee will mail the registrant a notice of withdrawal,  
11 notifying the registrant that the assessment, cancellation, or revocation is withdrawn, and stating  
12 the basis for that action. In the event matters are not resolved in the registrant's favor, the  
13 director or the director's designee will issue a decision reaffirming the department's assessment of  
14 additional registration fees or cancellation or revocation of apportioned license plates and  
15 privileges. The registrant has the right to appeal in accordance with clause (iii) of this  
16 subparagraph.

17 (iii) Appeal. If a conference held in accordance with clause (ii) of this  
18 subparagraph fails to resolve matters in the registrant's favor, the registrant may submit an appeal  
19 under §224.122 of this title (relating to Appeal of Decision Regarding Assessment, Cancellation, or  
20 Revocation Under §217.56). An appeal will be governed by Chapter 224 of this title (relating to  
21 Adjudicative Practice and Procedure) and Transportation Code, Chapter 502.

22 (K) Reinstatement.

1 (i) The director or the director's designee will reinstate apportioned  
2 registration to a previously canceled or revoked registrant if all applicable fees and assessments  
3 due on the previously canceled or revoked apportioned account have been paid and the applicant  
4 provides proof of an acceptable recordkeeping system for a period of no less than 60 days.

5 (ii) The application for the following registration year will be  
6 processed in accordance with the provisions of the IRP.

7 (L) Denial of apportioned registration for safety reasons. The department  
8 will comply with the requirements of the Performance and Registration Information Systems  
9 Management program (PRISM) administered by the Federal Motor Carrier Safety Administration  
10 (FMCSA).

11 (i) Denial or suspension of apportioned registration. Upon  
12 notification from the FMCSA that a carrier has been placed out of service for safety violations, the  
13 department will:

14 (I) deny initial issuance of apportioned registration;

15 (II) deny authorization for a temporary cab card, as provided  
16 for in subparagraph (M) of this paragraph;

17 (III) deny renewal of apportioned registration; or

18 (IV) suspend current apportioned registration.

19 (ii) Issuance after denial of registration or reinstatement of  
20 suspended registration. The director or the director's designee will reinstate or accept an initial or  
21 renewal application for apportioned registration from a registrant who was suspended or denied  
22 registration under clause (i) of this subparagraph upon presentation of a Certificate of Compliance  
23 from FMCSA, in addition to all other required documentation and payment of fees.

1 (M) Temporary cab card.

2 (i) Application. The department may authorize issuance of a  
3 temporary cab card to a motor carrier with an established Texas apportioned account for a vehicle  
4 upon proper submission of all required documentation, a completed application, and all fees for  
5 either:

6 (I) Texas title as prescribed by Transportation Code, Chapter  
7 501 and Subchapter A of this chapter (relating to Motor Vehicle Titles); or

8 (II) registration receipt to evidence title for registration  
9 purposes only (Registration Purposes Only) as provided for in Transportation Code, §501.029 and  
10 §217.24 of this title (relating to Vehicle Last Registered in Another Jurisdiction).

11 (ii) Title application. A registrant who is applying for a Texas title as  
12 provided for in clause (i)(I) of this subparagraph and is requesting authorization for a temporary  
13 cab card, must submit to a Regional Service Center a photocopy of the title application receipt  
14 issued by the county tax assessor-collector's office.

15 (iii) Registration Purposes Only. A registrant who is applying for  
16 Registration Purposes Only under clause (i)(II) of this subparagraph and is requesting authorization  
17 for a temporary cab card, must submit an application and all additional original documents or  
18 copies of original documents required by the director to a Regional Service Center.

19 (iv) Department approval. On department approval of the submitted  
20 documents, the department will send notice to the registrant to finalize the transaction and make  
21 payment of applicable registration fees.

1 (v) Finalization and payment of fees. To finalize the transaction and  
2 print the temporary cab card, the registrant may compute the registration fees through the  
3 department's apportioned registration software application, TxFLEET [~~TxIRP~~] system, and:

4 (I) make payment of the applicable registration fees to the  
5 department as provided by §209.23 of this title; and

6 (II) afterwards, mail or deliver payment of the title  
7 application fee in the form of a check, certified cashier's check, or money order payable to the  
8 county tax assessor-collector in the registrant's county of residency and originals of all copied  
9 documents previously submitted.

10 (vi) Deadline. The original documents and payment must be  
11 received by the Regional Service Center within 72-hours after the time that the office notified the  
12 registrant of the approval to print a temporary cab card as provided in clause (iv) of this  
13 subparagraph.

14 (vii) Failure to meet deadline. If the registrant fails to submit the  
15 original documents and required payment within the time prescribed by clause (vi) of this  
16 subparagraph, the registrant's privilege to use this expedited process to obtain a temporary cab  
17 card will be denied by the department for a period of six months from the date of approval to print  
18 the temporary cab card.

19 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code  
20 §551.202, which identifies the operation on roadways of electric personal assistive mobility devices.

21 **CROSS REFERENCE TO STATUTE.** The proposed repeal would implement Transportation Code §551.202,  
22 §217.34, Electric Personal Assistive Mobility Devices.

23

1 Text.

2 [~~217.34. Electric Personal Assistive Mobility Device.~~]

3 [~~The owner of an electric personal assistive mobility device, as defined by Transportation~~  
4 ~~Code, §551.201, is not required to register it. The device may only be operated on a residential~~  
5 ~~street, roadway, or public highway in accordance with Transportation Code, §551.202.]~~

6

7

### SUBCHAPTER C. REGISTRATION AND TITLE SYSTEMS

8

#### 43 TAC §§217.71, 217.74, AND 217.75

9

10 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
11 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
12 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
13 Vehicles; Transportation Code §502.040, which authorizes the department to prescribe the process and  
14 procedures for applying for a motor vehicle registration; Transportation Code §502.059, which  
15 authorizes the department to adopt rules providing for an automated registration process;  
16 Transportation Code §520.003, which authorizes the department to adopt rules to administer  
17 Transportation Code §520, Miscellaneous Provisions; Transportation Code §520.004, which authorizes  
18 the department to adopt rules to establish standards for uniformity and service quality for counties  
19 conducting registration and titling services; Transportation Code §520.0055, as created by HB 718, gives  
20 the department authority to mandate motor vehicle dealers use a department designated electronic  
21 system to submit title and registration applications to county tax assessor-collectors for motor vehicle  
22 transactions; and Transportation Code §1002.001, which authorizes the board to adopt rules that are

1 necessary and appropriate to implement the powers and the duties of the department, as well as the  
2 statutes referenced throughout the this preamble.

3 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
4 §§502.0021, 502.040, 502.059, 520.003, 520.004, 520.0055, and 1002.

5  
6 Text.

7 §217.71. Automated and Web-Based Vehicle Registration and Title Systems.

8 (a) Purpose.

9 (1) Transportation Code, Chapters 501 and 502, charge the department with the  
10 responsibility for issuing titles and registering vehicles operating on the roads, streets, and  
11 highways of the state.

12 (2) To provide a more efficient, cost-effective system for registering and titling  
13 vehicles, submitting title and registration records to county tax assessor-collectors and the  
14 department, maintaining records, improving inventory control of accountable items, and collecting  
15 and reporting of applicable fees consistent with those statutes, the department has designed:

16 (A) an automated system known as the registration and title system. This  
17 system expedites registration and titling processes, provides a superior level of customer service to  
18 the owners and operators of vehicles, and facilitates availability of the department's motor vehicle  
19 records for official law enforcement needs. Automated equipment compatible with the  
20 registration and title system is indispensable to the operational integrity of the system; and

21 (B) a web-based system known as webDEALER. This system expedites  
22 registration and titling processes, provides a superior level of customer service to the owners and



1 operators of vehicles, and facilitates availability of the department's motor vehicle records for  
2 official law enforcement needs.

3 (3) This subchapter prescribes the policies and procedures under which the  
4 department may make the automated equipment available to a county tax assessor-collector as  
5 designated agent of the state for processing title and vehicle registration documents and the  
6 policies and procedures ~~[for users who opt]~~ to use webDEALER.

7 (b) Definitions. The following words and terms, when used in this subchapter, shall have  
8 the following meanings, unless the context clearly indicates otherwise.

9 (1) Automated equipment--Equipment associated with the operation of the  
10 registration and titling system, including, but not limited to, microcomputers, printers, software,  
11 and cables.

12 (2) Department--The Texas Department of Motor Vehicles.

13 (3) Executive director--The executive director of the Texas Department of Motor  
14 Vehicles.

15 (4) Fair share allocation--The amount of automated equipment determined by the  
16 department to be effective at providing a reasonable level of service to the public. This amount  
17 will be determined on transaction volumes, number of county substations, and other factors  
18 relating to a particular county's need.

19 (5) RTS--The department's registration and title system.

20 (6) Title application--A form as defined by §217.2 of this title (relating to  
21 Definitions), and includes the electronic process provided by the department that captures the  
22 information required by the department to create a motor vehicle title record.

1                   (7) webDEALER--The department's web-based titling and registration system used  
2 to submit title applications to county tax assessor-collectors and the department. This term  
3 includes any other web-based system which facilitates electronic submission of title applications,  
4 including webSALVAGE, eTITLE, and webLIEN.

5

6 §217.74. webDEALER Access, Use, and Training. [~~Access to and Use of webDEALER.~~]

7                   (a) Each county tax assessor-collector shall request access to, and accept title applications  
8 submitted through, webDEALER. A county tax assessor-collector must utilize webDEALER in order  
9 to accept a title application in the county as provided by subsections (b) and (c) of this section.

10                   (b) Except as provided in subsection (c) of this section, a person who wishes to become a  
11 user of webDEALER must contact each entity to whom they submit title applications for  
12 authorization to utilize webDEALER. A user must receive authorization from each entity, including  
13 each county tax assessor-collector, to whom the user submits title applications. Title applications  
14 submitted to the department require the authorization by the department.

15                   (c) A motor vehicle dealer who holds [~~holder of~~] a general distinguishing number (holder)  
16 [~~who wishes to become a user of webDEALER~~] must contact each county tax assessor-collector to  
17 whom they submit title applications for webDEALER access. The county must provide the holder  
18 access. A holder must obtain access from each county [~~tax assessor-collector~~] to whom the user  
19 submits title applications. All active holders must obtain access to webDEALER in advance of July 1,  
20 2025. If a holder does not have webDEALER access by April 30, 2025, the department may provide  
21 the holder access to webDEALER in the county where the holder is located.

1 (d) A county tax assessor-collector may authorize a deputy appointed by the county tax  
2 assessor-collector in accordance with subchapter H of this chapter (relating to Deputies) to utilize  
3 webDEALER.

4 (e) An entity or [A] person authorized under subsection (b) of this section may have their  
5 authorization to use webDEALER revoked, rescinded, or cancelled at any time, with no notice, at  
6 the discretion of a county tax assessor-collector or the department.

7 (f) When submitting a title application through webDEALER, a user must:

8 (1) stamp the word "SURRENDERED" across the front face and the next open  
9 assignment or reassignment space of any secure title document or other acceptable ownership  
10 evidence as determined by the department in:

11 (A) arial font;

12 (B) black ink; and

13 (C) a size of 1/4" height x 2 1/4" length;

14 (2) retain the physical document described in paragraph (1) of this subsection for a  
15 minimum of four calendar years from the date of submitting a scanned copy of the stamped title  
16 document using the webDEALER system; and

17 (3) submit any documents required to be submitted with the title application with a  
18 scanned resolution of at least 200 dots per inch (DPI).

19 (g) Required webDEALER training. A holder described under subsection (c) and required to  
20 process title and registration transactions through webDEALER in accordance with Transportation  
21 Code, Section 520.0055, and each user accessing webDEALER under the holder's account must  
22 complete webDEALER training conducted by the department by April 30, 2025. New users created

1 on or after April 30, 2025, must complete webDEALER training before being given webDEALER  
2 permissions.

3 (1) Required training will include, at a minimum, training regarding transactions  
4 performed in webDEALER and proper use of the system.

5 (2) A holder who has had access to webDEALER for more than six months and  
6 submitted more than 100 transactions within the system as of October 1, 2024, is not required to  
7 take the webDEALER training under this section.

8 (3) Failure for holders and users accessing webDEALER under the holder’s account  
9 to complete the required training as outlined in this section shall result in denial of access to  
10 webDEALER.

11  
12 §217.75. Required Training on the Registration and Title System and Identification of Fraud.

13 (a) Required training. A person performing registration or titling services through RTS,  
14 including a department employee, department contractor, county tax assessor-collector employee,  
15 or full service deputy as defined by §217.162(6) of this title (relating to Definitions), must complete  
16 a training program as prescribed by this section. Required training will include, at a minimum:

17 (1) training regarding transactions performed in RTS; and

18 (2) identification of fraudulent activity related to vehicle registration and titling.

19 (b) Online training. The department will make required training for county tax assessor-  
20 collector employees and full service deputies available through the department's online training  
21 system.

22 (c) Registration and Title System training for county tax assessor-collector staff and full  
23 service deputies. To satisfy the training requirements under subsection (a)(1) of this section, a

1 county tax assessor-collector employee or full service deputy must complete each training course  
2 associated with the permissions that person is assigned in RTS. A person completes a training  
3 course when the person obtains a score of at least 80 percent on the course test, and the training  
4 is verified. This section does not limit the number of times or how often a person may take a  
5 training course or test.

6 (1) A county tax assessor-collector or county tax assessor-collector's system  
7 administrator must create accounts for and assign permissions in RTS to each employee or full  
8 service deputy who will be given access to RTS based on that person's job duties as determined by  
9 the county tax assessor-collector or the county tax assessor-collector's system administrator.

10 (2) The department will assign training content for specific permissions in RTS.

11 (3) A person must take required training using the person's individually assigned  
12 training identifier for the department's online training system.

13 (4) The department will enable a permission on completion of required training.

14 (5) ~~[A person with permissions in RTS on or before the effective date of this section  
15 must complete required training under this section by August 31, 2020. A person who has not been  
16 assigned permissions in RTS on or before the effective date of this section must complete all  
17 required training before permissions are enabled by the department.]~~

18 ~~[(6)]~~ If new training is made available for a new or existing permission ~~[after August  
19 31, 2020,]~~ a person with permissions enabled before the new training is made available must  
20 complete the required training within 120 days of the department's notification that the training is  
21 available. A county employee, or full service deputy, who is on leave on the date of the  
22 department's notification that the new training is available, for at least 120 days thereafter, and

1 due to circumstances beyond that person's control, as determined by the county tax assessor-  
2 collector may have an additional 14 days upon returning to work to complete the new training.

3 (d) Failure to complete required training.

4 (1) Except as provided in paragraph (2) of this subsection, the department will  
5 disable a permission if a person fails to complete required training for the permission within the  
6 timeframes required by this section.

7 (2) The department will not disable a permission for a county tax assessor-collector  
8 employee or a full service deputy if the person timely submits their score for each required  
9 training course; however, the department will disable the person's permission if the department  
10 determines that the submitted score is not at least 80 percent.

11 (3) A disabled permission may be enabled by using the process to complete training  
12 and enable permissions in subsection (c) of this section.

13

14 **SUBCHAPTER D. NONREPAIRABLE AND SALVAGE MOTOR VEHICLES**

15 **43 TAC §§217.81-217.86, 217.88, and 217.89**

16

17 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
18 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code,  
19 Chapter 501, Certificate of Title Act; Transportation Code, §501.030, which authorizes the department to  
20 adopt rules governing identification number inspections for motor vehicles brought into the state;  
21 Transportation Code, §501.0925, which authorizes the department to adopt rules governing the issuance  
22 of titles to insurance companies; Transportation Code, §501.097, which authorizes the department to  
23 prescribe the process and procedures for applying for nonrepairable and salvage vehicle titles;

1 Transportation Code, §501.1003, which authorizes the department to require salvage dealers to report  
2 nonrepairable and salvage motor vehicles that are dismantled, scrapped or destroyed and to surrender  
3 ownership documents for such vehicles; and Transportation Code, §1002.001, which authorizes the board  
4 to adopt rules that are necessary and appropriate to implement the powers and the duties of the  
5 department, as well as the statutes referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§501.0041, 501.030, 501.0925, 501.097, 501.1003, and 1002.001.

8

9 Text.

10 §217.81. Purpose and Scope.

11 Transportation Code, Chapter 501, Subchapter E, charges the department with the responsibility  
12 of issuing titles for non[-]repairable and salvage motor vehicles ~~[titles]~~ and ~~[certificates of]~~ titles for  
13 rebuilt salvage motor vehicles. For the department to efficiently and effectively issue the vehicle titles  
14 ~~[and certificates of title]~~, maintain records, collect the applicable fees, and ensure the proper application  
15 by motor vehicle owners, this subchapter prescribes the policies and procedures for the application for  
16 and issuance of vehicle titles for non[-]repairable and salvage motor vehicles, and titles for rebuilt  
17 salvage motor vehicles.

18

19 §217.82. Definitions.

20 The following words and terms, when used in this subchapter, shall have the following  
21 meanings, unless the context clearly indicates otherwise.

1                   (1) Casual sale--sale as defined by Transportation Code, §501.091(2) [~~The sale by a~~  
2 ~~salvage vehicle dealer, insurance company, or salvage pool operator of not more than five nonrepairable~~  
3 ~~or salvage motor vehicles to the same person during a calendar year. The term does not include a sale to~~  
4 ~~a salvage vehicle dealer or the sale of an export-only motor vehicle to a person who is not a resident of~~  
5 ~~the United States].~~

6                   (2) Certificate of title--title as defined by Transportation Code, §501.002(1-a) [~~A written~~  
7 ~~instrument that may be issued solely by and under the authority of the department and that reflects the~~  
8 ~~transferor, transferee, vehicle description, license plate and lien information, and rights of survivorship~~  
9 ~~agreement as specified in Subchapter A of this chapter or as required by the department].~~

10                   (3) Application for Title--A form prescribed by the director of the department's Vehicle  
11 Titles and Registration Division that reflects the information required by the department to create a  
12 motor vehicle title record.

13                   (4) Damage--damage as defined by Transportation Code, §501.091(3) [~~Sudden damage~~  
14 ~~to a motor vehicle caused by the motor vehicle being wrecked, burned, flooded, or stripped of major~~  
15 ~~component parts. The term does not include gradual damage from any cause, sudden damage caused~~  
16 ~~by hail, or any damage caused only to the exterior paint of the motor vehicle].~~

17                   (5) Date of sale--The date of the transfer of possession of a specific vehicle from a seller  
18 to a purchaser.

19                   (6) Department--The Texas Department of Motor Vehicles.



1                   (7) Export-only sale--The sale of a nonrepairable or salvage motor vehicle, by a salvage  
2 vehicle dealer, including a salvage pool operator acting as agent for an insurance company, or a  
3 governmental entity, to a person who resides outside the United States.

4                   (8) Flood damage--A title remark that is initially indicated on a nonrepairable or salvage  
5 vehicle title to denote that the damage to the vehicle was caused exclusively by flood and that is carried  
6 forward on subsequent title issuance.

7                   (9) Insurance company--as defined by Transportation Code, §501.091(5) [~~A person~~  
8 ~~authorized to write automobile insurance in this state or an out-of-state insurance company that pays a~~  
9 ~~loss claim for a motor vehicle in this state].~~

10                  (10) Manufacturer's certificate of origin--A form prescribed by the department showing  
11 the original transfer of a new motor vehicle from the manufacturer to the original purchaser, whether  
12 importer, distributor, dealer, or owner, and when presented with an application for title, showing, on  
13 appropriate forms prescribed by the department, each subsequent transfer between distributor and  
14 dealer, dealer and dealer, and dealer and owner.

15                  (11) Metal recycler--A person as defined by Transportation Code §501.091(7) [~~who:~~  
16 ~~[(A) is predominately engaged in the business of obtaining ferrous or nonferrous~~  
17 ~~metal that has served its original economic purpose to convert the metal, or sell the metal for~~  
18 ~~conversion, into raw material products consisting of prepared grades and having an existing or potential~~  
19 ~~economic value;]~~

20                                ~~[(B) has a facility to convert ferrous or nonferrous metal into raw material~~  
21 ~~products consisting of prepared grades and having an existing or potential economic value, by a method~~

1 ~~other than the exclusive use of hand tools, including the processing, sorting, cutting, classifying,~~  
2 ~~cleaning, baling, wrapping, shredding, shearing, or changing the physical form or chemical content of the~~  
3 ~~metal; and]~~

4 [(C) sells or purchases the ferrous or nonferrous metal solely for use as raw  
5 material in the production of new products].

6 (12) Motor vehicle--A vehicle described by Transportation Code, §501.002(17).

7 (13) Nonrepairable motor vehicle--A motor vehicle as defined by Transportation Code,  
8 §501.091(9).

9 (14) Nonrepairable vehicle title--title as defined by Transportation Code, §501.091(10)  
10 ~~[A document that evidences ownership of a nonrepairable motor vehicle].~~

11 (15) Nonrepairable record of title--title as defined by Transportation Code, §501.091(10-  
12 a).

13 (16)~~(15)~~ Out-of-state buyer--buyer as defined by Transportation Code, §501.091(11) [A  
14 person licensed in an automotive business by another state or jurisdiction if the department has listed  
15 the holders of such a license as permitted purchasers of salvage motor vehicles or nonrepairable motor  
16 vehicles based on substantially similar licensing requirements and on whether salvage vehicle dealers  
17 licensed in Texas are permitted to purchase salvage motor vehicles or nonrepairable motor vehicles in  
18 the other state or jurisdiction].

19 (17)~~(16)~~ Out-of-state ownership document--A negotiable document issued by another  
20 jurisdiction that the department considers sufficient to prove ownership of a nonrepairable or salvage

1 motor vehicle and to support issuance of a comparable Texas certificate of title for the motor vehicle.

2 The term does not include a title issued by the department, including a:

3 (A) regular certificate of title;

4 (B) nonrepairable vehicle title;

5 (C) salvage vehicle title;

6 (D) salvage certificate;

7 (E) Certificate of Authority to Demolish a Motor Vehicle; or

8 (F) any other ownership document issued by the department.

9 (18) ~~(17)~~ Person--An individual, partnership, corporation, trust, association, or other  
10 private legal entity.

11 (19) ~~(18)~~ Rebuilt salvage ~~[certificate of]~~ title--A ~~[regular certificate of]~~ title evidencing  
12 ownership of a nonrepairable motor vehicle that was issued a nonrepairable vehicle title prior to  
13 September 1, 2003, or salvage motor vehicle that has been rebuilt.

14 (20) ~~(19)~~ Salvage motor vehicle--A motor vehicle, regardless of the year model:

15 (A) that ~~[is]~~:

16 (i) is damaged or is missing a major component part to the extent that  
17 the cost of repairs exceeds the actual cash value of the motor vehicle immediately before the damage;

18 or

19 (ii) ~~[damaged and]~~ comes into this state under an out-of-state  
20 ownership document that states on its face "accident damage," "flood damage," "inoperable,"

1 "rebuildable," "salvageable," or similar notation, and is not an out-of-state ownership document with a  
2 "rebuilt," "prior salvage," or similar notation, or a nonrepairable motor vehicle; and

3 (B) does not include:

4 (i) a motor vehicle for which an insurance company has paid a claim for  
5 repairing hail damage, or theft, unless the motor vehicle was damaged during the theft and before  
6 recovery to the extent that the cost of repair exceeds the actual cash value of the motor vehicle  
7 immediately before the damage;

8 (ii) the cost of materials or labor for repainting the motor vehicle; or

9 (iii) sales tax on the total cost of repairs.

10 ~~(21)[(20)] Salvage vehicle dealer--dealer as defined by Transportation Code,~~  
11 ~~§501.091(17) [A person engaged in this state in the business of acquiring, selling, dismantling, repairing,~~  
12 ~~rebuilding, reconstructing, or otherwise dealing in nonrepairable motor vehicles or salvage motor~~  
13 ~~vehicles or used parts, including a person who is in the business of a salvage vehicle dealer, regardless of~~  
14 ~~whether the person holds a license issued by the department to engage in the business. The term does~~  
15 ~~not include a person who casually repairs, rebuilds, or reconstructs fewer than three salvage motor~~  
16 ~~vehicles in the same calendar year].~~

17 ~~(22)[(21)] Salvage vehicle title--title as defined by Transportation Code, §501.091(16) [A~~  
18 ~~document issued by the department that evidences ownership of a salvage motor vehicle].~~

19 ~~(23) Salvage record of title--title as defined by Transportation Code, §501.091(16-a).~~

20

1 §217.83. Requirement for Non[-]repairable or Salvage Vehicle Title or Nonrepairable or Salvage Record  
2 of Title.

3 (a) Determination of condition of vehicle.

4 (1) Salvage motor vehicle. When a vehicle is damaged, the actual cash value of the  
5 motor vehicle immediately before the damage and the cost of repairs shall be used to determine  
6 whether the damage is sufficient to classify the motor vehicle as a salvage motor vehicle.

7 (2) Non[-]repairable motor vehicle. When a vehicle is damaged, the actual cash value of  
8 the motor vehicle immediately before the damage and the cost of repairs, or any [alternate] method  
9 commonly used by the insurance industry, shall be used to determine whether the damage is sufficient  
10 to classify the motor vehicle as a non[-]repairable motor vehicle.

11 (3) The actual cash value of the motor vehicle is the market value of a motor vehicle as  
12 determined:

13 (A) from publications commonly used by the automotive and insurance  
14 industries to establish the values of motor vehicles; or

15 (B) if the entity determining the value is an insurance company, by any other  
16 procedure recognized by the insurance industry, including market surveys, that is applied in a uniform  
17 manner.

18 (4) The cost of repairs, including parts and labor, shall be determined by:

19 (A) using a manual of repair costs or other instrument that is generally  
20 recognized and used in the motor vehicle industry to determine those costs; or

1 (B) an estimate of the actual cost of the repair parts and the estimated labor  
2 costs computed by using hourly rate and time allocations that are reasonable and commonly assessed in  
3 the repair industry in the community in which the repairs are performed.

4 (5) The cost of repairs does not include:

5 (A) the cost of:

6 (i) repairs related to gradual damage to a motor vehicle;

7 (ii) repairs related to hail damage; or

8 (iii) materials and labor for repainting or when the damage is solely to  
9 the exterior paint of the motor vehicle; or

10 (B) sales tax on the total cost of repairs.

11 (b) Who must apply.

12 (1) An insurance company licensed to do business in this state that acquires ownership  
13 or possession of a non[-]repairable or salvage motor vehicle that is covered by a ~~certificate of~~ title  
14 issued by this state or a manufacturer's certificate of origin shall obtain a non[-]repairable or salvage  
15 vehicle title or nonrepairable or salvage record of title, as provided by §217.84 of this title (relating to  
16 Application for Non[-]repairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of Title),  
17 before selling or otherwise transferring the non[-]repairable or salvage motor vehicle, except as  
18 provided by subsection (c) of this section.

19 (2) A salvage vehicle dealer shall obtain a Non[-]repairable or Salvage Vehicle Title or  
20 Nonrepairable or Salvage Record of Title, or comparable out-of-state ownership document, before

1 selling or otherwise transferring the motor vehicle, except as provided by §217.88(b) of this title  
2 (relating to Sale, Transfer, or Release of Ownership of a Non[-]repairable or Salvage Motor Vehicle).

3 (3) A person, other than an insurance company or salvage vehicle dealer, who acquires  
4 ownership of a non[-]repairable or salvage motor vehicle that has not been issued a non[-]repairable  
5 vehicle title, a salvage vehicle title, or a comparable out-of-state ownership document, shall obtain a  
6 non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title, as provided by  
7 §217.84, before selling or otherwise transferring the motor vehicle, unless the motor vehicle will be  
8 dismantled, scrapped, or destroyed.

9 (c) Owner-retained vehicles.

10 ~~[(1) An owner may retain a vehicle only as provided by this subsection and if the vehicle~~  
11 ~~was titled in Texas before it became a salvage or non-repairable vehicle.]~~

12 ~~(1)~~~~[(2)]~~ When an insurance company pays a claim on a non[-]repairable or salvage motor  
13 vehicle and does not acquire ownership of the motor vehicle, the company shall submit through  
14 webDEALER to the department before the 31st day after the date of the payment of the claim, on a  
15 form prescribed by the department, a report stating that:

16 (A) the insurance company has paid a claim on the non[-]repairable or salvage  
17 motor vehicle; and

18 (B) the insurance company has not acquired ownership of the non[-]repairable  
19 or salvage motor vehicle.

20 ~~(2)~~~~[(3)]~~ Upon receipt of the report described in paragraph (2) of this subsection, the  
21 department will place an appropriate notation on the motor vehicle record to prevent registration and

1 transfer of ownership prior to the issuance of a salvage or non[-]repairable vehicle title or salvage or  
2 nonrepairable record of title.

3 (3)[(4)] The owner who retained the non[-]repairable or salvage motor vehicle to which  
4 this subsection applies shall obtain a non[-]repairable or salvage vehicle title or nonrepairable or salvage  
5 record of title, as provided by §217.84, before selling or otherwise transferring the non[-]repairable or  
6 salvage motor vehicle.

7 ~~[(5) Until a non-repairable or salvage vehicle title, or a comparable out-of-state~~  
8 ~~ownership document, has been issued for an owner-retained non-repairable or salvage vehicle, the~~  
9 ~~owner of the motor vehicle may not sell or otherwise transfer ownership of the vehicle.]~~

10 (4)[(6)] The owner of an owner retained non[-]repairable or salvage motor vehicle may  
11 not operate or permit operation of the motor vehicle on a public highway, until the motor vehicle is  
12 rebuilt, titled as a rebuilt salvage motor vehicle or rebuilt non[-]repairable motor vehicle, if applicable,  
13 and is registered in accordance with Subchapter B of this chapter.

14 (d) Self-insured vehicles. The owner of a non[-]repairable or salvage motor vehicle that is self-  
15 insured and that has been removed from normal operation by the owner shall apply to the department  
16 for a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title, as provided by  
17 §217.84, before the 31st day after the damage occurred, and before selling or otherwise transferring  
18 ownership of the non[-]repairable or salvage motor vehicle.

19 (e) Casual sales. A salvage vehicle dealer, salvage pool operator, or insurance company that  
20 acquires a non[-]repairable or salvage motor vehicle shall apply to the department for a non[-]repairable  
21 or salvage vehicle title or nonrepairable or salvage record of title, in accordance with §217.84, prior to  
22 offering the motor vehicle for sale in a casual sale.



1 (f) Export-only vehicles. A salvage vehicle dealer, including a salvage pool operator acting as  
2 agent for an insurance company, or governmental entity that acquires a non[-]repairable or salvage  
3 motor vehicle and offers it for sale to a non-United States resident shall apply to the department for a  
4 non[-]repairable or salvage vehicle title, as provided by §217.84, before selling or otherwise transferring  
5 the non[-]repairable or salvage motor vehicle and before delivery of the non[-]repairable or salvage  
6 motor vehicle to the buyer. A salvage vehicle dealer or governmental entity shall maintain records of all  
7 export-only non[-]repairable or salvage motor vehicle sales as provided by §217.88(g).

8 (g) Voluntary application. A person who owns or acquires a motor vehicle that is not a non[-]  
9 ]repairable or salvage motor vehicle may voluntarily, and on proper application, as provided by §217.84,  
10 apply for a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title.

11  
12 §217.84. Application for Nonrepairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of  
13 Title.

14 (a) Place of application. The owner of a nonrepairable or salvage motor vehicle who is required  
15 to obtain or voluntarily chooses to obtain a nonrepairable or salvage vehicle title, as provided by  
16 §217.83 of this title (relating to Requirement for Non[-]repairable or Salvage Vehicle Title or  
17 Nonrepairable or Salvage Record of Title), shall apply for a nonrepairable or salvage vehicle title or  
18 nonrepairable or salvage record of title by submitting an application, the required accompanying  
19 documentation, and the statutory fee to the department.

20 (b) Information on application. An applicant for a nonrepairable or salvage vehicle title or  
21 nonrepairable or salvage record of title shall submit an application on a form prescribed by the

1 department. A completed form, in addition to any other information required by the department, must  
2 include:

3 (1) the name and current address of the owner;

4 (2) a description of the motor vehicle, including the model year, make, body style, and  
5 vehicle identification number;

6 (3) a statement describing whether the motor vehicle is a nonrepairable or salvage  
7 motor vehicle;

8 (4) whether the damage was caused exclusively by flood;

9 (5) a description of the damage to the motor vehicle that discloses which major  
10 component part(s) must be repaired or replaced as a result of the damage to the part(s);

11 (6) the odometer reading and brand, or the word "exempt" if the motor vehicle is  
12 exempt from federal and state odometer disclosure requirements, if the motor vehicle is a salvage  
13 motor vehicle;

14 (7) the name and mailing address of any lienholder and the date of lien, as provided by  
15 subsection (e) of this section; and

16 (8) the signature of the applicant or the applicant's authorized agent and the date the  
17 [~~certificate of~~] title application was signed.

18 (c) Accompanying documentation. A nonrepairable or salvage vehicle title or nonrepairable or  
19 salvage record of title application must be supported, at a minimum, by:

1 (1) evidence of ownership, as described by subsection (d)(1) or (3) of this section, if the  
2 applicant is an insurance company that is unable to locate one or more of the owners;

3 (2) an odometer disclosure statement properly executed by the seller of the motor  
4 vehicle and acknowledged by the purchaser, if the motor vehicle is less than 10 model years old and the  
5 motor vehicle is a salvage motor vehicle; and

6 (3) a release of any liens.

7 (d) Evidence of nonrepairable or salvage motor vehicle ownership.

8 (1) Evidence of nonrepairable or salvage motor vehicle ownership properly assigned to  
9 the applicant must accompany the application for a nonrepairable or salvage vehicle title or  
10 nonrepairable or salvage record of title, except as provided by paragraph (2) of this subsection. Evidence  
11 must include documentation sufficient to show ownership to the nonrepairable or salvage motor  
12 vehicle, such as:

13 (A) a Texas [~~Certificate of~~] Title;

14 (B) a certified copy of a Texas [~~Certificate of~~] Title;

15 (C) a manufacturer's certificate of origin;

16 (D) a Texas Salvage Certificate;

17 (E) a nonrepairable vehicle title or record of title;

18 (F) a salvage vehicle title or record of title;

1 (G) a comparable ownership document issued by another jurisdiction, except  
2 that if the applicant is an insurance company, evidence must be provided indicating that the insurance  
3 company is:

4 (i) licensed to do business in Texas; or

5 (ii) not licensed to do business in Texas, but has paid a loss claim for the  
6 motor vehicle in this state; or

7 (H) a photocopy of the inventory receipt or a title and registration verification  
8 evidencing surrender to the department of the negotiable evidence of ownership for a motor vehicle as  
9 provided by §217.86 of this title (relating to Dismantling, Scrapping, or Destruction of Motor Vehicles),  
10 and if the evidence of ownership surrendered was from another jurisdiction, a photocopy of the front  
11 and back of the surrendered evidence of ownership.

12 (2) An insurance company that acquires ownership or possession of a nonrepairable or  
13 salvage motor vehicle through payment of a claim may apply for a nonrepairable or salvage vehicle title  
14 to be issued in the insurance company's name without obtaining an ownership document or if it  
15 received an ownership document without the proper assignment of the owner if the company is unable  
16 to obtain a title from the owner, in accordance with paragraph (1) of this subsection, and the application  
17 is not made earlier than the 30th day after the date of payment of the claim. The application must also  
18 include:

19 (A) a statement that the insurance company has provided at least two written  
20 notices to the owner and any lienholder attempting to obtain the title or proper assignment of title for  
21 the motor vehicle;

1 (B) a statement that the insurance company paid a loss claim for the vehicle that  
2 was accepted; and

3 (C) any unassigned or improperly assigned title in the insurance company's  
4 possession.

5 (3) An insurance company that acquires, through payment of a claim, ownership or  
6 possession of a salvage motor vehicle or nonrepairable motor vehicle covered by an out-of-state  
7 ownership document may obtain a salvage ~~vehicle title~~ or nonrepairable vehicle title or salvage or  
8 nonrepairable record of title in accordance with paragraph (1) or (2) of this subsection if:

9 (A) the motor vehicle was damaged, stolen, or recovered in this state; or

10 (B) the motor vehicle owner from whom the company acquired ownership  
11 resides in this state.

12 (4) A salvage pool operator may apply for title consistent with Transportation Code,  
13 §501.0935. ~~[in the name of the salvage pool operator by providing to the department:]~~

14 ~~[(A) documentation from the insurance company that:]~~

15 ~~[(i) the salvage pool operator, on request of an insurance company, was~~  
16 ~~asked to take possession of the motor vehicle subject to an insurance claim and the insurance company~~  
17 ~~subsequently denied coverage or did not take ownership of the vehicle; and]~~

18 ~~[(ii) the name and address of the owner of the motor vehicle and the~~  
19 ~~lienholder, if any; and]~~

1                   ~~[(B) proof that the salvage pool operator, before the 31st day after receiving the~~  
2 ~~information from the insurance company, sent a notice to the owner and any lienholder informing them~~  
3 ~~that:]~~

4                   ~~[(i) the motor vehicle must be removed from the location specified in~~  
5 ~~the notice not later than the 30th day after the date the notice is mailed; and]~~

6                   ~~[(ii) if the motor vehicle is not removed within the time specified in the~~  
7 ~~notice, the salvage pool operator will sell the motor vehicle and retain from the proceeds any costs~~  
8 ~~actually incurred by the operator in obtaining, handling, and disposing of the motor vehicle, except for~~  
9 ~~charges:]~~

10                   ~~[(i) that have been or are subject to being reimbursed by a third~~  
11 ~~party; and]~~

12                   ~~[(ii) for storage or impoundment of the motor vehicle.]~~

13                   (5) Proof of notice under this subsection consists of:

14                   (A) the validated receipts for registered or certified mail and return receipt or an  
15 electronic certified mail receipt, including signature receipt; and

16                   (B) any unopened certified letters returned by the post office as unclaimed,  
17 undeliverable, or with no forwarding address.

18                   (e) Recordation of lien on nonrepairable and salvage vehicle titles. If the motor vehicle is a  
19 salvage motor vehicle, a new lien or a currently recorded lien may be recorded on the salvage vehicle  
20 title. If the motor vehicle is a nonrepairable motor vehicle, only a currently recorded lien may be  
21 recorded on the nonrepairable vehicle title.

1 (f) Issuance. Upon receipt of a completed nonrepairable or salvage vehicle title application,  
2 accompanied by the statutory application fee and the required documentation, the department will,  
3 before the sixth business day after the date of receipt, issue a nonrepairable or salvage vehicle title or  
4 nonrepairable or salvage record of title, as appropriate.

5 (1) If the condition of salvage is caused exclusively by flood, a "Flood Damage" notation  
6 will be reflected on the face of the document and will be carried forward upon subsequent title  
7 issuance.

8 (2) If a lien is recorded on a nonrepairable or salvage vehicle title, the vehicle title will be  
9 mailed to the lienholder. For proof of ownership purposes, the owner will be mailed a receipt or  
10 printout of the newly established motor vehicle record, indicating a lien has been recorded.

11 (3) A nonrepairable vehicle title will state on its face that the motor vehicle may:

12 (A) not be repaired, rebuilt, or reconstructed;

13 (B) not be issued a regular ~~certificate of~~ title or registered in this state;

14 (C) not be operated on a public highway; and

15 (D) may only be used as a source for used parts or scrap metal.

16

17 §217.85. Replacement of Non[-]repairable or Salvage Motor Vehicle Ownership Documents.

18 (a) Location. Applications for certified copies of ownership documents for non[-]repairable or  
19 salvage motor vehicles will only be processed at the department's Austin headquarters office.

1 (b) Notation. The certified copy will contain the words "Certified Copy" and the date issued, and  
2 the motor vehicle record will be noted accordingly until ownership of the non[-]repairable or salvage  
3 motor vehicle is transferred. Then the notation will be eliminated from the new [~~certificate of~~] title and  
4 from the motor vehicle record.

5 (c) Replacement of non[-]repairable or salvage vehicle titles. If a non[-]repairable or salvage  
6 vehicle title is lost or destroyed, the department will issue a certified copy of the ownership document  
7 type originally issued, except as provided by subsection (d)(2) of this section, to the motor vehicle  
8 owner, lienholder, or verifiable agent on submission of verifiable proof and payment of the appropriate  
9 fee as provided in §217.7 of this title (relating to Replacement of Title).

10 (d) Replacement of non[-]repairable or salvage ownership documents issued prior to September  
11 1, 2003.

12 (1) If a salvage certificate of title issued by this state prior to September 1, 2003, is lost  
13 or destroyed, the department will issue a certified copy of a salvage vehicle title, to the motor vehicle  
14 owner, lienholder, or verifiable agent on proper application, submission of verifiable proof, and payment  
15 of the appropriate fee as provided in §217.7.

16 (2) If a non[-]repairable certificate of title or salvage certificate issued by this state prior  
17 to September 1, 2003, is lost or destroyed, the department will issue a salvage vehicle title to the motor  
18 vehicle owner, lienholder, or verifiable agent on proper application, submission of verifiable proof, and  
19 payment of the appropriate fee as provided in §217.7.

20

21 §217.86. Dismantling, Scrapping, or Destruction of Motor Vehicles.



1 (a) A person who acquires ownership of a non[-]repairable or salvage motor vehicle for the  
2 purpose of dismantling, scrapping, or destruction shall, not later than the 30th day after the motor  
3 vehicle was acquired:

4 (1) submit to the department a report, on a form prescribed by the department:

5 (A) stating that the motor vehicle will be dismantled, scrapped, or destroyed;

6 and

7 (B) certifying that all unexpired license plates and registration validation stickers  
8 have been removed from the motor vehicle, in accordance with Occupations Code, §2302.252; and

9 (2) surrender to the department the properly assigned ownership document.

10 (b) The person shall:

11 (1) maintain records of each motor vehicle that will be dismantled, scrapped, or  
12 destroyed, as provided by Chapter 221, Subchapter D of this title (relating to Records); and

13 (2) store all unexpired license plates and registration validation stickers removed from  
14 those vehicles in a secure location.

15 (c) The department will issue the person a receipt with surrender of the report and ownership  
16 documents.

17 (d) For purposes of dismantling, scrapping, or destruction, a nonrepairable or salvage motor  
18 vehicle may only be transferred to a metal recycler upon issuance of a receipt as provided in subsection  
19 (c) of this section. The transfer shall be documented on a form prescribed by the department and be

1 included with the transfer of the vehicle along with the receipt as provided in subsection (c) of this  
2 section.

3 ~~(e)~~~~(d)~~ License plates and registration validation stickers removed from vehicles reported under  
4 subsection (a)(1) of this section may be destroyed upon receipt of the acknowledged report from the  
5 department.

6 ~~(f)~~~~(e)~~ The department will place an appropriate notation on motor vehicle records for which  
7 ownership documents have been surrendered to the department.

8 ~~(g)~~~~(f)~~ Not later than 60 days after the motor vehicle is delivered to the metal recycler for  
9 purposes of the vehicle being dismantled, scrapped, or destroyed, the person shall report to the  
10 department and provide evidence that the motor vehicle has been dismantled, scrapped, or destroyed.

11  
12 §217.88. Sale, Transfer, or Release of Ownership of a Non[-]repairable or Salvage Motor Vehicle.

13 (a) Sale, transfer or release with ~~[With]~~ a non[-]repairable or salvage motor vehicle title or  
14 nonrepairable or salvage record of title. The ownership of a motor vehicle for which a non[-]repairable  
15 vehicle title, non[-]repairable record of title, salvage vehicle title, salvage record of title, or a comparable  
16 out-of-state ownership document has been issued, including a motor vehicle that has a "Flood Damage"  
17 notation on the title, may be sold, transferred, or released to anyone.

18 (b) Sale, transfer or release without ~~[Without]~~ a non[-]repairable or salvage motor vehicle title or  
19 nonrepairable or salvage record of title shall be consistent with Transportation Code, §501.095(a). ~~[If a~~  
20 ~~non-repairable vehicle title, non-repairable record of title, salvage vehicle title, salvage record of title, or~~  
21 ~~a comparable out-of-state ownership document has not been issued for a non-repairable or salvage~~

1 ~~motor vehicle, only a salvage vehicle dealer, used automotive parts recycler, metal recycler, insurance~~  
2 ~~company, or governmental entity may sell, transfer, or otherwise release ownership of the motor~~  
3 ~~vehicle. Such person may only sell, transfer, or otherwise release ownership of a motor vehicle to which~~  
4 ~~this subsection applies to:]~~

5 [~~(1) a salvage vehicle dealer;~~]

6 [~~(2) a used automotive parts recycler;~~]

7 [~~(3) a metal recycler;~~]

8 [~~(4) a governmental entity; or~~]

9 [~~(5) an insurance company.]~~

10 (c) Sale of self-insured non[-]repairable or salvage motor vehicle. The owner of a self-insured  
11 non[-]repairable or salvage motor vehicle that has been damaged and removed from normal operation  
12 shall obtain a non[-]repairable or salvage vehicle title or nonrepairable or salvage record of title before  
13 selling or otherwise transferring ownership of the motor vehicle.

14 (d) Casual sales. A salvage vehicle dealer, salvage pool operator, or insurance company may sell  
15 up to five non[-]repairable or salvage motor vehicles, for which non[-]repairable or salvage vehicle titles  
16 or nonrepairable or salvage record of title have been issued, to a person, not to include those specified  
17 in Transportation Code, §501.091(2)(A-C), in a casual sale during a calendar year.

18 (e) Records of casual sales.

- 1 (1) A salvage vehicle dealer, salvage pool operator, or insurance company must maintain  
2 records of each casual sale made during the previous 36 months, in accordance with Transportation  
3 Code, §501.108, that at a minimum contain:
- 4 (A) the date of sale;
- 5 (B) the sales price;
- 6 (C) the name and address of the purchaser;
- 7 (D) a legible photocopy of a form of current photo identification as specified in  
8 §217.7(b) of this title (Relating to Replacement of Title) [~~the purchaser's government issued photo~~  
9 ~~identification~~];
- 10 (E) the form of identification provided, the identification document number, and  
11 the name of the jurisdiction that issued the identification document;
- 12 (F) the description of the motor vehicle, including the vehicle identification  
13 number, model year, make, body style, and model;
- 14 (G) a photocopy of the front and back of the properly assigned ownership  
15 document provided to the purchaser; and
- 16 (H) the purchaser's certification, on a form provided by the department, that  
17 the purchase of motor vehicles in a casual sale is not intended to circumvent the provisions of  
18 Transportation Code, Chapter 501 (relating to Certificates of Title) and Occupations Code, Chapter 2302  
19 (relating to Salvage Vehicle Dealers).

1                   2) Records may be maintained on a form provided by the department or in an electronic  
2 format.

3                   (3) Records must be maintained on the business premises of the seller, and shall be  
4 made available for inspection upon request.

5           (f) Export-only sales.

6                   (1) In accordance with Transportation Code, §501.099, only a licensed salvage vehicle  
7 dealer, including a salvage pool operator acting as agent for an insurance company, or governmental  
8 entity may sell a non[-]repairable or salvage motor vehicle to a person who resides outside the United  
9 States, and only:

10                           (A) when a non[-]repairable or salvage vehicle title has been issued for the  
11 motor vehicle prior to offering it for export-only sale; and

12                           (B) prior to the sale, the seller obtains a legible photocopy of a government-  
13 issued photo identification of the purchaser that can be verified by law enforcement, issued by the  
14 jurisdiction in which the purchaser resides that may consist of:

15   (i) a passport;

16   (ii) a driver's license;

17   (iii) consular identity document;

18   (iv) national identification certificate or identity document; or

1 (v) other government-issued identification that includes the name of the  
2 jurisdiction issuing the document, the purchaser's full name, foreign address, date of birth, photograph,  
3 and signature.

4 (2) The seller must obtain the purchaser's certification, on a form prescribed by the  
5 department, that the purchaser will remove the motor vehicle from the United States and will not  
6 return the motor vehicle to any state of the United States as a motor vehicle titled or registered under  
7 its manufacturer's vehicle identification number.

8 (3) The seller must provide the buyer with a properly assigned non[-]repairable or  
9 salvage vehicle title.

10 (4) The seller must stamp FOR EXPORT ONLY and the seller's salvage vehicle dealer  
11 license number or the governmental entity's name, whichever applies, on the face of the title and on  
12 any unused reassignments on the back of the title.

13 (g) Records of export-only sales.

14 (1) A salvage vehicle dealer or governmental entity that sells a non[-]repairable or  
15 salvage motor vehicle for export-only must maintain records of all export-only sales until the third  
16 anniversary of the date of the sale.

17 (2) Records of each sale must include:

18 (A) a legible copy of the stamped and properly assigned non[-]repairable or  
19 salvage vehicle title;

20 (B) the buyer's certified statement required by subsection (f)(2) of this section;

1 (C) a legible photocopy [~~copy~~] of a form of photo identification as specified in  
2 subsection (f)(1)(B) of this section[~~the buyer's photo identification document~~];

3 (D) a legible copy of any other documents related to the sale of the motor  
4 vehicle; and

5 (E) a listing of each motor vehicle sold for export-only that states the:

6 (i) date of sale;

7 ~~[(ii) name and address of the seller;]~~

8 (ii)~~[(iii)]~~ name [~~and address~~] of the purchaser;

9 (iii)~~[(iv)]~~ purchaser's identification document number;

10 (iv)~~[(v)]~~ name of the country that issued the identification document;

11 (v)~~[(vi)]~~ the form of identification provided by the purchaser; and

12 (vi)~~[(vii) description of the motor vehicle that includes the year, make,~~  
13 ~~model, and]~~ vehicle identification number of the motor vehicle.

14 (3) The listing required by paragraph (2)(E) of this subsection must be maintained either  
15 on a form provided by the department or in an electronic format approved by the department.

16 (4) The salvage vehicle dealer or governmental entity shall submit the listing prescribed  
17 by paragraph (2)(E) of this subsection to the department within 30 days from the date of sale.

18 (5) Upon receipt of the listing prescribed by paragraph (2)(E) of this subsection, the  
19 department will place an appropriate notation on the motor vehicle record to identify it as a motor  
20 vehicle sold for export-only that may not be operated, retitled, or registered in this state.

1

2 §217.89. Rebuilt Salvage Motor Vehicles.

3 (a) Filing for title. When a salvage motor vehicle or a non[-]repairable motor vehicle for which a  
4 non[-]repairable vehicle title was issued prior to September 1, 2003, has been rebuilt, the owner shall  
5 file a ~~[certificate of]~~ title application, as described in §217.4 of this title (relating to Initial Application for  
6 Title), for a rebuilt salvage ~~[certificate of]~~ title.

7 (b) Place of application. An application for a rebuilt salvage ~~[certificate of]~~ title shall be filed with  
8 the county tax assessor-collector in the county in which the applicant resides, in the county in which the  
9 motor vehicle was purchased or is encumbered, or to any county tax assessor-collector who is willing to  
10 accept the application.

11 (c) Fee for rebuilt salvage ~~[certificate of]~~ title. In addition to the statutory fee for a title  
12 application and any other applicable fees, a \$65 rebuilt salvage fee must accompany the application.

13 (d) Accompanying documentation. The application for a ~~[certificate of]~~ title for a rebuilt non[-]  
14 ]repairable or salvage motor vehicle must be supported, at a minimum, by the following documents:

15 (1) evidence of ownership, properly assigned to the applicant, as described in subsection  
16 (e) of this section;

17 (2) a rebuilt statement, on a form prescribed by the department that includes:

18 (A) a description of the motor vehicle, which includes the motor vehicle's model  
19 year, make, model, identification number, and body style;

20 (B) an explanation of the repairs or alterations made to the motor vehicle;



1 (C) a description of each major component part used to repair the motor vehicle  
2 and showing the identification number required by federal law to be affixed to or inscribed on the part;

3 (D) the name of the owner and the name and address of the rebuilder;

4 (E) a statement by the owner that the owner is the legal and rightful owner of  
5 the vehicle, the vehicle is rebuilt, repaired, reconstructed, or assembled and that the vehicle  
6 identification number disclosed on the rebuilt affidavit is the same as the vehicle identification number  
7 affixed to the vehicle;

8 (F) the signature of the owner, or the owner's authorized agent; and

9 (G) a statement by the rebuilder that the vehicle has been rebuilt, repaired, or  
10 reconstructed by the rebuilder and that all component parts used were obtained in a legal and lawful  
11 manner, signed by the rebuilder or the rebuilder's authorized agent or employee;

12 ~~[(3) evidence of inspection submitted by the person who repairs, rebuilds, or~~  
13 ~~reconstructs a non-repairable or salvage motor vehicle in the form of disclosure on the rebuilt~~  
14 ~~statement of the vehicle inspection report authorization or certificate number, and the date of~~  
15 ~~inspection, issued by an authorized state safety inspection station after the motor vehicle was rebuilt, if~~  
16 ~~the motor vehicle will be registered at the time of application;]~~

17 (3)[(4)] an odometer disclosure statement properly executed by the seller of the motor  
18 vehicle and acknowledged by the purchaser, if applicable;

19 (4)[(5)] proof of financial responsibility in the title applicant's name, as required by  
20 Transportation Code §502.046, unless otherwise exempted by law, if the motor vehicle will be  
21 registered at the time of application;

1                   ~~(5)[(6)]~~ unless otherwise exempted by law, a vehicle identification number inspection  
2 ~~[report required by]~~ under Transportation Code, §501.0321 ~~§548.256 and Transportation Code~~  
3 ~~§501.030~~ if the motor vehicle was last titled or ~~[and]~~ registered in another ~~[state or]~~ country, or a  
4 document described under 217.4(d)(4) of this title (relating to Initial Application for Title) if the vehicle  
5 was last titled or registered in another state ~~[unless otherwise exempted by law]~~; and

6                   ~~(6)[(7)]~~ a release of any liens, unless there is no transfer of ownership and the same  
7 lienholder is being recorded as is recorded on the surrendered evidence of ownership.

8                   (e) Evidence of ownership of a rebuilt salvage motor vehicle:

9                   (1) may include:

10                                   (A) a Texas Salvage Vehicle Title or Record of Title;

11                                   (B) a Texas Non[-]repairable Certificate of Title issued prior to September 1,  
12 2003;

13                                   (C) a Texas Salvage Certificate; or

14                                   (D) a comparable salvage certificate or salvage certificate of title issued by  
15 another jurisdiction, except that this ownership document will not be accepted if it indicates that the  
16 motor vehicle may not be rebuilt in the jurisdiction that issued the ownership document; but

17                   (2) does ~~[may]~~ not include:

18                                   (A) a Texas non[-]repairable vehicle title issued on or after September 1, 2003;

1 (B) an out-of-state ownership document that indicates that the motor vehicle is  
2 non[-]repairable, junked, for parts or dismantling only, or the motor vehicle may not be rebuilt in the  
3 jurisdiction that issued the ownership document; or

4 (C) a certificate of authority to dispose of a motor vehicle issued in accordance  
5 with Transportation Code, Chapter 683.

6 (f) Rebuilt salvage [~~certificate of~~] title issuance. Upon receiving a completed [~~certificate of~~] title  
7 application for a rebuilt salvage motor vehicle, along with the applicable fees and required  
8 documentation, the transaction will be processed and a rebuilt salvage [~~certificate of~~] title will be issued.  
9 The [~~certificate of~~] title will include a "Rebuilt Salvage" notation and a description or disclosure of the  
10 motor vehicle's former condition on its face.

11 (g) Issuance of rebuilt salvage [~~certificate of~~] title to a motor vehicle from another jurisdiction.  
12 On proper application, as prescribed by §217.4, by the owner of a motor vehicle that is brought into this  
13 state from another jurisdiction and for which a certificate of title issued by the other jurisdiction  
14 contains a "Rebuilt," "Salvage," or analogous title remark, the department will issue the applicant a  
15 [~~certificate of~~] title or other appropriate document for the motor vehicle. A [~~certificate of~~] title or other  
16 appropriate document issued under this subsection will show [~~on its face~~]:

17 (1) the date of issuance;

18 (2) the name and address of the owner;

19 (3) any registration number assigned to the motor vehicle;

20 (4) a description of the motor vehicle as determined by the department; and

21 (5) any title remark the department considers necessary or appropriate.

1 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code,  
2 §501.09111, which identifies the rights and limitations of rights to owners of nonrepairable and salvage  
3 motor vehicles.

4 **CROSS REFERENCE TO STATUTE.** The proposed repeal would implement Transportation Code  
5 §501.09111. §217.87. Rights of Holder of Non-repairable or Salvage Motor Vehicle Documents.

6

7 Text.

8 [~~§217.87. Rights of Holder of Non-repairable or Salvage Motor Vehicle Documents.~~]

9 ~~(a) The owner of a motor vehicle for which a salvage certificate or a non-repairable or salvage~~  
10 ~~certificate of title was issued prior to September 1, 2003, or a salvage vehicle title issued on or after~~  
11 ~~September 1, 2003;]~~

12 ~~(1) may:]~~

13 ~~(A) possess, transport, dismantle, scrap, or destroy, the motor vehicle;]~~

14 ~~(B) sell, transfer, or release ownership of the motor vehicle or used part from~~  
15 ~~the motor vehicle as provided by §217.88 of this title (relating to Sale, Transfer, or Release of Ownership~~  
16 ~~of a Non-repairable or Salvage Motor Vehicle); or]~~

17 ~~(C) repair, rebuild, or reconstruct the motor vehicle; and]~~

18 ~~(2) may not operate or permit operation of the motor vehicle on the public highways~~  
19 ~~until a rebuilt salvage certificate of title is issued.]~~

1           ~~[(b) The owner of a motor vehicle for which a non-repairable vehicle title was issued on or after~~  
2 ~~September 1, 2003:]~~

3                   ~~[(1) may:]~~

4                           ~~[(A) possess, transport, dismantle, scrap, or destroy, the motor vehicle; or]~~

5                           ~~[(B) sell, transfer, or release ownership of the motor vehicle or used part from~~  
6 ~~the motor vehicle as provided by §217.88; and]~~

7                   ~~[(2) may not:]~~

8                           ~~[(A) repair, rebuild, or reconstruct the motor vehicle;]~~

9                           ~~[(B) retitle or register the motor vehicle; and]~~

10                           ~~[(C) operate or permit operation of the motor vehicle on the public highways.]~~

11

12                                   **SUBCHAPTER E. TITLE LIENS AND CLAIMS**

13   **43 TAC §217.106**

14

15   **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
16 Code §501.115, which provides the department authority to govern the discharge of a lien on a title, and  
17 Transportation Code, §1002.001, which authorizes the department to adopt rules that are necessary and  
18 appropriate to implement the powers and the duties of the department.

19   **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
20 §§501.115, and 1002.001.

1  
2 Text.  
3 §217.106. Discharge of Lien.  
4 A lienholder shall provide the owner, or the owner's designee, a discharge of the lien after  
5 receipt of the final payment within the time limits specified in Transportation Code, §501.115 [~~Chapter~~  
6 ~~501~~]. The lienholder shall submit one of the following documents:

7 (1) the title including an authorized signature in the space reserved for release of lien;  
8 (2) a release of lien form prescribed by the department, with the form filled out to  
9 include the:

10 (A) title or document number, or a description of the motor vehicle including,  
11 but not limited to, the motor vehicle:

12 (i) year;

13 (ii) make;

14 (iii) vehicle identification number; and

15 (iv) license plate number, if the motor vehicle is subject to registration  
16 under Transportation Code, Chapter 502;

17 (B) printed name of lienholder;

18 (C) signature of lienholder or an authorized agent;

19 (D) printed name of the authorized agent if the agent's signature is shown;

20 (E) telephone number of lienholder; and

- 1 (F) date signed by the lienholder;
- 2 (3) signed and dated correspondence submitted on company letterhead that includes:
- 3 (A) a statement that the lien has been paid;
- 4 (B) a description of the vehicle as indicated in paragraph (2)(A) of this  
5 subsection;
- 6 (C) a title or document number; or
- 7 (D) lien information;
- 8 (4) any out-of-state prescribed release of lien form, including an executed release on a  
9 lien entry form;
- 10 (5) out-of-state evidence with the word "Paid" or "Lien Satisfied" stamped or written in  
11 longhand on the face, followed by the name of the lienholder, countersigned or initialed by an agent,  
12 and dated; or
- 13 (6) original security agreements or copies of the original security agreements if the  
14 originals or copies are stamped "Paid" or "Lien Satisfied" with a company paid stamp or if they contain a  
15 statement in longhand that the lien has been paid followed by the company's name.

16  
17 **SUBCHAPTER F. MOTOR VEHICLE RECORDS**

18 **43 TAC §§217.122-125, 217.129, AND 217.131**

19

1 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
2 Code §730.014, which give the department authority to adopt rules to administer Transportation Code  
3 Chapter 730, Motor Vehicle Records Disclosure Act; and Transportation Code §1002.001, which  
4 authorizes the board to adopt rules that are necessary and appropriate to implement the powers and  
5 duties of the department, as well as the statutes referenced throughout this preamble.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§730.014, and 1002.

8  
9 Text.

10 §217.122. Definitions.

11 (a) Words and terms defined in Transportation Code, Chapter 730 have the same meaning  
12 when used in this subchapter, unless the context clearly indicates otherwise.

13 (b) The following words and terms, when used in this subchapter, shall have the following  
14 meanings, unless the context clearly indicates otherwise.

15 (1) Department--Texas Department of Motor Vehicles.

16 (2) Requestor--A person as defined by Transportation Code, §730.003(5), this state, or  
17 an agency of this state seeking personal information contained in motor vehicle records directly from  
18 the department.

19 (3) Service agreement--A contractual agreement with the department that allows a  
20 requestor electronic motor vehicle records.

21 (4) Written request--A request submitted in writing, including by mail, electronic mail,  
22 electronic media, and facsimile transmission.



1                   (5) Signature--Includes an electronic signature, as defined by Transportation Code  
2 §501.172, to the extent the department accepts such electronic signature.

3                   (6) Batch Inquiry--Access, under a service agreement, to department motor vehicle  
4 records associated with Texas license plate numbers or vehicle identification numbers, where  
5 requests are submitted electronically to the department in a prescribed batch format. The department  
6 makes a disclosure for each record in a batch.

7                   (7) MVInet Access--Electronic access, under a service agreement, to the  
8 department's motor vehicle registration and title database, with the ability to query records by a  
9 Texas license plate number, vehicle identification number, placard number, or current or previous  
10 document number. The department makes a disclosure each time a query of the system is made.

11                   (8) Bulk--A disclosure by the department under Transportation Code §730.007 of at  
12 least 250 motor vehicle records containing personal information, including any of the files defined  
13 by subsection (b)(10) - (13) of this section.

14                   (9) Bulk contract--A contractual agreement with the department for the disclosure of  
15 motor vehicle records in bulk to the requestor.

16                   (10) Master File--A bulk file containing all the department's active and inactive  
17 registration and title records.

18                   (11) Weekly Updates--A bulk file containing the department's new and renewed  
19 vehicle registration and title records from the previous week.

20                   (12) Specialty Plates File--A bulk file containing Texas specialty license plate records.

21                   (13) eTAG File--A bulk file containing records related to new or updated eTAGs,  
22 vehicle transfer notifications, and plate-to-owner records.

1                   (14) Dealer/Supplemental File--A pair of files, one containing records of registration  
2 and title transactions processed by dealers with the department during the previous week and  
3 another containing the dealers' information, that are only available as a supplement to a bulk  
4 contract that includes the Weekly Updates.

5

6 §217.123. Access to Motor Vehicle Records.

7                   (a) Except as required under subsection (f) of this section, a requestor seeking personal  
8 information from department motor vehicle records shall submit a written request in a form  
9 required by the department. A completed and properly executed form must include:

10                   (1) the name and address of the requestor;

11                   (2) a description of the requested motor vehicle records, including the Texas license  
12 plate number, title or document number, or vehicle identification number of the motor vehicle  
13 about which information is requested;

14                   (3) proof of the requestor's identity, in accordance with subsections (b) or (c) of  
15 this section;

16                   (4) a statement that the requestor:

17                                   (A) is the subject of the record;

18                                   (B) has the written consent of the person who is the subject of the record;

19 or

20                                   (C) will strictly limit the use of the personal information in department  
21 motor vehicle records to a permitted use under Transportation Code Chapter 730, as indicated on  
22 the form;

23                   (5) a certification that the statements made on the form are true and correct; and

1 (6) the signature of the requestor.

2 (b) Except as required by subsection (c) of this section, a requestor must provide the  
3 requestor's current photo identification containing a unique identification number. The  
4 identification must be a:

5 (1) driver's license, Texas Department of Public Safety identification, or state  
6 identification certificate issued by a state or territory of the United States;

7 (2) United States or foreign passport;

8 (3) United States military identification card;

9 (4) United States Department of Homeland Security, United States Citizenship and  
10 Immigration Services, or United States Department of State identification document;

11 (5) ~~concealed handgun license or~~ license to carry a handgun issued by the Texas  
12 Department of Public Safety under Government Code Chapter 411, Subchapter H; or

13 (6) North Atlantic Treaty Organization identification or identification issued under a  
14 Status of Forces Agreement.

15 (c) A requestor seeking personal information from department motor vehicle records for  
16 use by a law enforcement agency must:

17 (1) present the requestor's current law enforcement credentials;

18 (2) electronically submit the request in a manner that the department can verify  
19 that the requestor is acting on behalf of a law enforcement agency; or

20 (3) provide a written statement from a higher level in the chain of command on the  
21 law enforcement agency's letterhead stating that the requestor is not authorized to provide  
22 current law enforcement credentials and identifying the intended use or the ~~[law enforcement]~~  
23 agency's incident or case number for which the personal information is needed.

1 (d) A requestor seeking personal information from department motor vehicle records for  
2 use by a law enforcement agency may submit a verbal request to the department if the law  
3 enforcement agency has provided reasonable assurances that were accepted by the department as  
4 to the identity of the requestor within the last 12 months on a form required by the department. If  
5 a request is submitted verbally, the department may require the requestor to confirm the request  
6 in writing.

7 (e) A requestor may receive electronic access to department motor vehicle records under  
8 the terms and conditions of a service agreement.

9 (1) Before a requestor can enter into a service agreement, the requestor must file a  
10 completed application on a form required by the department, for review and approval by the  
11 department. An application for a service agreement must include:

12 (A) a statement that the requestor will strictly limit the use of the personal  
13 information from department motor vehicle records to a permitted use under Transportation Code  
14 Chapter 730, as indicated on the application;

15 (B) the name and address of the requestor;

16 (C) proof of the requestor's identity, in accordance with subsections (b) or  
17 (c) of this section;

18 (D) copies of agreements used by the requestor to release motor vehicle  
19 record information to third parties;

20 (E) any additional material provided to third-party requestors detailing the  
21 process through which they obtain motor vehicle record information and describing their  
22 limitations as to how this information may be used;

1                    ~~(F)~~[(D)] the signature of the requestor or, if the requestor is an organization  
2 or entity, the signature of an officer or director of the requestor; and

3                    ~~(G)~~[(E)] a certification that the statements made in the application are true  
4 and correct.

5                    (2) If the department determines any of the information provided in the application is  
6 incomplete, inaccurate, or does not meet statutory requirements the department will not enter into a  
7 service agreement to release motor vehicle record information.

8                    ~~(3)~~[(2)] Unless the requestor is exempt from the payment of fees, a service  
9 agreement must contain an adjustable account, in which an initial deposit and minimum balance is  
10 maintained in accordance with §217.124 of this title (relating to Cost of Motor Vehicle Records).  
11 Notwithstanding §217.124 of this title, the department may modify initial deposit and minimum  
12 balance requirements depending on usage.

13                    (f) Access to bulk motor vehicle records. A requestor seeking access to department motor  
14 vehicle records in bulk must enter into a bulk contract with the department.

15                    (1) Before a requestor can enter into a bulk contract, the requestor must file a  
16 completed application on a form required by the department, for review and approval by the  
17 department. An application for a bulk contract must include:

18                    (A) a statement that the requestor will strictly limit the use of the personal  
19 information to a permitted use under Transportation Code Chapter 730, as indicated on the  
20 application;

21                    (B) the name and address of the requestor;

22                    (C) proof of the requestor's identity, in accordance with §217.123(b) or (c)  
23 of this title (relating to Access to Motor Vehicle Records);

1                    (D) copies of agreements used by the requestor to release motor vehicle  
2 record information to third parties;

3                    (E) any additional material provided to third party requestors detailing the  
4 process in which they obtain motor vehicle record information and describing their limitations as  
5 to how this information may be used;

6                    (F)[(D)] a certification that the statements made on the form are true and  
7 correct; and

8                    (G)[(E)] the signature of the requestor or, if the requestor is an organization  
9 or entity, the signature of an officer or director of the requestor.

10                    (2) If the department determines any of the information provided is incomplete,  
11 inaccurate, or does not meet statutory requirements the department will not enter into a bulk contract  
12 to release motor vehicle record information.

13                    (3)[(2)] Prior to the execution of a bulk contract, a requestor must provide proof  
14 the requestor has:

15                    (A) posted a \$1 million performance bond, payable to this state,  
16 conditioned upon the performance of all the requirements of Transportation Code Chapter 730  
17 and this subchapter; and

18                    (B) insurance coverage in the amount of at least \$3 million and that meets  
19 the requirements of Transportation Code §730.014(c)(3).

20                    (g) If a person is convicted of an offense under Transportation Code Chapter 730 or is  
21 found by a court to have violated a rule under this subchapter, then any contract with that person  
22 to access department motor vehicle records is terminated as of the date of the court's final  
23 determination.

1 (h) The requirements of this section do not apply to discovery, subpoena, or other means  
2 of legal compulsion for the disclosure of personal information.

3 (i) An authorized recipient will receive requested motor vehicle records in accordance with  
4 Title 18 U.S.C. §2721 et seq.; Transportation Code Chapter 730; Government Code §552.130; and  
5 this subchapter.

6  
7 §217.124. Cost of Motor Vehicle Records.

8 (a) Standard costs. The department will charge fees in accordance with Government Code  
9 Chapter 552 and the cost rules promulgated by the Office of the Attorney General in 1 Texas  
10 Administrative Code Chapter 70 (relating to Cost of Copies of Public Information).

11 (b) Law enforcement. An employee of a state, federal, or local law enforcement agency is  
12 exempt from the payment of fees for motor vehicle records in subsection (c)(1) - (4) of this section  
13 if the records are necessary to carry out lawful functions of the law enforcement agency.

14 (c) Motor vehicle record costs:

15 (1) Title history - \$5.75;

16 (2) Certified title history - \$6.75;

17 (3) Title and registration verification (record search) - \$2.30; and

18 (4) Certified title and registration verification (record search) - \$3.30.

19 (d) Electronic motor vehicle records and files:

20 (1) Master File - \$5,000 plus \$.38 per 1,000 records;

21 (2) Weekly Updates - deposit of \$1,755 and \$135 per week;

22 (3) eTAG File - deposit of \$845 and \$65 per week;

23 (4) Dealer/Supplemental File - deposit of \$1,235 and \$95 per week;

1 (5) Specialty Plates File - deposit of \$1,235 and \$95 per week;

2 (6) Batch Inquiry - deposit of \$1,000, minimum balance of \$750 and \$23 per run

3 plus \$.12 per record;

4 (7) MVInet Access - deposit of \$200, minimum balance of \$150 and \$23 per month

5 plus \$.12 per record; and

6 (8) Scofflaw remarks (inquiry, addition, or deletion) - deposit of \$500, minimum

7 balance of \$350 and \$23 per run plus \$.12 per record.

8 (e) Texas governmental entities, as defined in Government Code §2252.001, the Texas Law  
9 Enforcement Telecommunication System, ~~and~~ toll project entities, as defined by Transportation  
10 Code §372.001, and federal governmental entities are exempt from the payment of fees, except  
11 for the fees listed in subsection (d)(1), (6), or (8) of this section.

12 (f) Reciprocity agreements. The department may enter into a reciprocity agreement[s] for records  
13 access with another~~other~~ governmental entity~~entities~~ that may waive some or all of the fees  
14 established in this section.

15

16 §217.125. Additional Documentation Related to Certain Permitted Uses.

17 (a) The department may require a requestor to provide reasonable assurance as to the  
18 identity of the requestor and that the use of motor vehicle records is only as authorized under  
19 Transportation Code §730.012(a). Where applicable, each requestor submitting a request for  
20 motor vehicle records shall provide documentation satisfactory to the department that they are  
21 authorized to request the information on behalf of the organization, entity, or government agency  
22 authorized to receive the information.



1 (b) Requestors seeking personal information from motor vehicle records from the  
2 department for a permitted use listed in this subsection must submit additional documentation.

3 (1) A request under Transportation Code §730.007(a)(2)(C) must include the  
4 personal information the business is attempting to verify against the department's motor vehicle  
5 records and documentation sufficient to prove the requestor is a business actively licensed by,  
6 registered with, or subject to regulatory oversight by a government agency.

7 (2) A request under Transportation Code §730.007(a)(2)(D) must include proof of a  
8 legal proceeding, or if no proceeding has been initiated, proof the requestor is in anticipation of  
9 litigation relating to the request which would necessitate release of the document(s) requested.

10 (3) A request under Transportation Code §730.007(a)(2)(E) must include  
11 documentation sufficient to prove the requestor is employed ~~[in a researching occupation.]~~ by an  
12 entity in the business of conducting research related to the requested information and  
13 demonstrating the employment relationship. The department has discretion in determining  
14 whether the entity is in the business of conducting research related to the requested information  
15 and in determining whether the documentation provided is sufficient to demonstrate an  
16 employment relationship.

17 (4) A request under Transportation Code §730.007(a)(2)(F) must include an active  
18 license number provided by the Texas Department of Insurance or an active out-of-state license  
19 number provided by the relevant regulatory authority, an active license number the insurance  
20 support organization is working under, or proof of self-insurance.

21 (5) A request under Transportation Code §730.007(a)(2)(G) must include an active  
22 license number provided by the Texas Department of Licensing and Regulation or an active out-of-  
23 state license number provided by the relevant regulatory authority.

1 (6) A request under Transportation Code §730.007(a)(2)(H) must include an active  
2 license number provided by the Texas Department of Public Safety or an active out-of-state license  
3 number provided by the relevant regulatory authority.

4 (7) A request under Transportation Code §730.007(a)(2)(I) must include a copy of  
5 an active commercial driver's license.

6 (8) A request under Transportation Code §730.007(a)(2)(J) must include  
7 documentation to relate the requested personal information with the operation of a toll  
8 transportation facility or another type of transportation project as described by Transportation  
9 Code §370.003.

10 (9) A request under Transportation Code §730.007(a)(2)(K) must include  
11 documentation on official letterhead indicating a permitted use for personal information, as  
12 defined by the Fair Credit Reporting Act (15 U.S.C. §1681 et. Seq.).

13 (10) A request under Transportation Code §730.007(a)(2)(L) must include an active  
14 license number of a manufacturer, dealership, or distributor issued by the department or an active  
15 out-of-state license number provided by the relevant regulatory authority.

16 (11) A request under Transportation Code §730.007(a)(2)(M) must include an active  
17 license or registration number of a salvage vehicle dealer, an independent motor vehicle dealer, or  
18 a wholesale motor vehicle dealer issued by the department; or an active license issued by the  
19 Texas Department of Licensing and Regulation to a used automotive parts recycler; or other proof  
20 that the requestor is subject to regulatory oversight by an entity listed in Transportation Code  
21 §730.007(a)(2)(M)(iv).

22 (c) The department may require a requestor to provide additional information to clarify the  
23 requestor's use of the personal information under Transportation Code Chapter 730, if the

1 reasonable assurances provided with the request are not satisfactory to the department.

2

3 §217.129. Ineligibility to Receive Personal Information Contained in Motor Vehicle Records.

4 (a) The department may deny a request for or cease disclosing personal information  
5 contained in the department's motor vehicle records if it determines withholding the information  
6 benefits the public's interest more than releasing the information subject to Transportation Code,  
7 §730.005 and §730.006.

8 (b) If the department determines an authorized recipient has violated a term or condition  
9 of a contract with the department to access motor vehicle records and the department terminates  
10 the contract, that authorized recipient cannot enter into a subsequent contract with the  
11 department to access motor vehicle records unless approved to do so under §217.130 of this title  
12 (relating to Approval for Persons Whose Access to Motor Vehicle Records Has Previously Been  
13 Terminated).

14 (c) Termination of a contract with the department to access motor vehicle records caused  
15 by any member of an organization or entity shall be effective on the whole organization or entity.  
16 Subsequent organizations or entities formed by any member, officer, partner, or affiliate of an  
17 organization or entity whose contract with the department to access motor vehicle records has  
18 previously been terminated cannot enter into a subsequent contract with the department to  
19 access motor vehicle records, unless approved to do so under §217.130 of this title (relating to  
20 Approval for Persons Whose Access to Motor Vehicle Records Has Previously Been Terminated).

21

22 217.131. Notices Regarding Unauthorized Recipient.

1           ~~[(a) For the purposes of this section, a requestor includes a person, the state, or an agency~~  
2 ~~of this state that previously received personal information from department motor vehicle~~  
3 ~~records.]~~

4           (a)~~[(b)]~~ A requestor who has previously received personal information from the  
5 department and is not an authorized recipient must, not later than 90 days after the date the  
6 requestor becomes aware that the requestor is not an authorized recipient, delete from the  
7 requestor's records any personal information received from the department that the requestor is  
8 not permitted to receive and use under Transportation Code Chapter 730.

9           (b) ~~[(c)]~~ A requestor who becomes aware that the requestor is not an authorized recipient must  
10 promptly notify the department that the requestor is not an authorized recipient and provide the date  
11 they became aware.

12           (c) ~~[(d)]~~ If the department becomes aware that the requestor is not an authorized recipient  
13 before receiving notice from the requestor, the department will send a written notice to the  
14 requestor stating that the requestor is not an authorized recipient. If the requestor was not  
15 already aware that it is not an authorized recipient, within 90 days from the date the department  
16 sends its notice under this subsection, the requestor must delete any personal information  
17 received from the department that the requestor is not permitted to receive and use under  
18 Transportation Code Chapter 730.

19           (d) ~~[(e)]~~ A requestor who becomes aware that the requestor is not an authorized recipient  
20 must notify the department when all the department's personal information has been deleted.

21

22

#### **SUBCHAPTER G. INSPECTIONS**

23

#### **43 TAC §217.143 AND §217.144**

1

2 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
3 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code,  
4 Chapter 501, Certificate of Title Act; Transportation Code, §501.030, which authorizes the department to  
5 adopt rules governing identification number inspections for motor vehicles brought into the state;  
6 Transportation Code, §501.0321, which authorizes the department to adopt rules establishing the training  
7 requirements for personnel conducting identification number inspections; Transportation Code,  
8 §501.0322, which provides the department with authority to adopt rules to establish an alternative  
9 identification number inspection; and Transportation Code, §1002.001, which authorizes the board to  
10 adopt rules that are necessary and appropriate to implement the powers and the duties of the  
11 department, as well as the statutes referenced throughout this preamble.

12 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
13 §§501.0041, 501.030, 501.0321, 501.0322, and 1002.001.

14

15 Text.

16 §217.143. Inspection Requirements.

17 (a) On initial titling of an assembled vehicle under Transportation Code Chapter 731, and  
18 Subchapter L of this title (relating to Assembled Vehicles), with the exception of an assembled  
19 motorcycle, assembled trailer, and glider kit, an applicant must provide proof, on a form  
20 prescribed by the department, of a safety inspection performed by a master technician.

21 (b) In addition to the requirement under subsection (a) of this section, an owner applying  
22 for initial registration of a custom vehicle or street rod must provide proof, on a form prescribed

1 by the department, of a safety inspection performed by a master technician under this section as  
2 required under Transportation Code §504.501(e).

3 (c) The inspection must meet the minimum requirements under Transportation Code,  
4 §731.102 to evaluate the structural integrity and proper function of the equipment.

5 (d) The inspector must certify that:

6 (1) the vehicle and equipment are structurally stable;

7 (2) the vehicle and equipment meet the necessary conditions to be operated safely  
8 on the roadway;

9 (3) equipment used in the construction of the vehicle, for which a federal motor  
10 vehicle safety standard exists, complies with the applicable standard; and

11 (4) if the vehicle is a custom vehicle or street rod, the vehicle is equipped and  
12 operational with all equipment required by statute as a condition of sale during the year the  
13 vehicle was manufactured or resembles.

14 (e) The inspection of an assembled vehicle required under subsection (a) of this section is  
15 in addition to all other required inspections including an inspection required under Transportation  
16 Code Chapter 548.

17 (f) The applicant must pay all fees to the master technician for the inspection of an  
18 assembled vehicle required under subsection (a) of this section, including any reinspection.

19 (g) In addition to the fees in subsection (f) of this section, the applicant must pay all  
20 applicable fees for other required inspections as required by law, including any applicable ~~[a]~~  
21 inspection or reinspection required under Transportation Code Chapter 548.

22

23 §217.144. Identification Number Inspection.

1           (a) In addition to any other requirement specified by Transportation Code, §501.0321, a  
2 person is qualified to perform an inspection under Transportation Code, §501.0321, if that person  
3 has completed one of the following training programs:

4                   (1) Intermediate or Advanced Motor Vehicle Crime Investigator Training provided  
5 by the Motor Vehicle Crime Prevention Authority;

6                   (2) Auto Theft School (Parts 1 and 2) provided by the Texas Department of Public  
7 Safety; or

8                   (3) Auto Theft Course provided by the National Insurance Crime Bureau.

9           (b) If a person qualified to perform an inspection under Transportation Code, §501.0321, is  
10 unable to determine a manufactured motor vehicle’s original year of manufacture or original make  
11 designation, the department will not issue title and registration to the motor vehicle. A person  
12 inspecting a motor vehicle under §501.0321 who is able to identify the motor vehicle as a  
13 manufactured motor vehicle, but is unable to identify the manufactured motor vehicle’s original  
14 year of manufacture or original make designation, or both, may not identify the vehicle as an  
15 assembled, homemade, or shop-made vehicle.

16

17

#### SUBCHAPTER H. DEPUTIES

18

#### 43 TAC §§217.161, 217.166 AND 217.168

19

20 **STATUTORY AUTHORITY:** The department proposes amendments to Chapter 217 under Transportation  
21 Code §502.095, as amended by HB 718, which gives the department authority to issue one-trip and 30-  
22 day license plates; Transportation Code §502.1911, which authorizes the department to adopt rules to  
23 set registration processing and handling fees; Transportation Code §520.003, which authorizes the

1 department to adopt rules to administer Transportation Code, Chapter 520, Miscellaneous Provisions;  
2 Transportation Code, §520.004, which authorizes the department to adopt rules to establish standards  
3 for uniformity and service quality for counties conducting registration and titling services; and  
4 Transportation Code, §1002.001, which authorizes the department to adopt rules that are necessary and  
5 appropriate to implement the powers and the duties of the department.

6 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
7 §§502.095, §502.1911, 520.003, 520.004 and 1002.001.

8  
9 Text.

10 §217.161. Purpose and Scope.

11 Pursuant to Transportation Code, §520.0071, a county tax assessor-collector, with the  
12 approval of the commissioners court of the county, may appoint deputies to perform designated  
13 motor vehicle titling and registration services. This subchapter prescribes the classification types,  
14 duties, and obligations of deputies; the type and amount of any bonds that deputies may be  
15 required to post; and the fees that deputies may be authorized to charge or retain. ~~[A deputy~~  
16 ~~appointed under Transportation Code, §520.0071, on or before December 31, 2016, may continue~~  
17 ~~to perform services authorized under former Transportation Code, §§520.008, 520.009, 520.0091,~~  
18 ~~and 520.0092, as amended by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357). Beginning January 1,~~  
19 ~~2017,] All [a]] deputies must be deputized in accordance with and comply with the provisions of  
20 this subchapter.~~

21  
22 §217.166. Dealer Deputies.



1           (a) A county tax assessor-collector, with the approval of the commissioner’s court of the  
2 county, may deputize a motor vehicle dealer to act as a dealer deputy to provide motor vehicle  
3 titling and registration services in the same manner and with the same authority as though done in  
4 the office of the county tax assessor-collector, except as limited by this section.

5           (b) A dealer deputy must hold a valid general distinguishing number (GDN) under  
6 Transportation Code, Chapter 503, Subchapter B, and may act as a dealer deputy only for a type of  
7 motor vehicle for which the dealer holds a GDN. A dealer may not continue to act as a dealer  
8 deputy if the GDN is cancelled or suspended.

9           (c) A county tax assessor-collector may impose reasonable obligations or requirements  
10 upon a dealer deputy in addition to those set forth in this section. The county tax assessor-  
11 collector may, at the time of deputation or upon renewal of deputation, impose specified  
12 restrictions or limitations on a dealer deputy's authority to provide certain titling or registration  
13 services.

14           (d) Upon the transfer of ownership of motor vehicles purchased, sold or exchanged by the  
15 dealer deputy, the dealer deputy may process titling transactions in the same manner and with the  
16 same authority as though done in the office of the county tax assessor-collector. The dealer deputy  
17 may not otherwise provide titling services to the general public.

18           (e) Upon the transfer of ownership of a motor vehicle purchased, sold or exchanged by the  
19 dealer deputy, the dealer deputy may process initial registration transactions in the same manner  
20 and with the same authority as though done in the office of the county tax assessor-collector. The  
21 dealer deputy may not otherwise offer initial registration services to the general public.

22           (f) The county tax assessor-collector may authorize a dealer deputy to provide motor  
23 vehicle registration renewal services. A dealer deputy offering registration renewal services must

1 offer such services to the general public, and must accept and process any proper application for  
2 registration renewal that the county tax assessor-collector would accept and process.

3 (g) To be eligible to serve as a dealer deputy, a person must be trained to perform motor  
4 vehicle titling and registration services, as approved by the county tax assessor-collector, or  
5 otherwise be deemed competent by the county tax assessor-collector to perform such services.

6 (h) To be eligible to serve as a dealer deputy, a person must post a bond payable to the  
7 county tax assessor-collector consistent with §217.167 of this title (relating to Bonding  
8 Requirements) with the bond conditioned on the person's proper accounting and remittance of the  
9 fees the person collects. The county tax assessor-collector may set a maximum number of  
10 webDEALER transactions for a dealer deputy, and the maximum number must be based on the  
11 bond amount.

12 (i) A person applying to be a dealer deputy must complete the application process as  
13 specified by the county tax assessor-collector. The application process may include satisfaction of  
14 any bonding requirements and completion of any additional required documentation or training of  
15 the deputy before the processing of any title or registration transactions may occur.

16 (j) If a dealer deputy offers registration renewal services to the general public, the deputy  
17 must provide the physical address at which services will be offered, the mailing address, the phone  
18 number, and the hours of service. This information may be published on the department's website  
19 and may be published by the county if the county publishes a list of deputy locations.

20 (k) A dealer deputy shall keep a separate accounting of the fees collected and remitted to  
21 the county, and a record of daily receipts.

22 (l) A dealer deputy may charge or retain fees consistent with the provisions of §217.168 of  
23 this title (relating to Deputy Fee Amounts).

1 (m) This section does not prevent a county tax assessor-collector from deputizing a dealer  
2 as a full service deputy under §217.163 of this title (relating to Full Service Deputies) or a limited  
3 service deputy under §217.164 of this title (relating to Limited Service Deputies) instead of a  
4 dealer deputy under this section.

5  
6 §217.168. Deputy Fee Amounts.

7 (a) Fees. A county tax assessor-collector may authorize a deputy to charge or retain the fee  
8 amounts prescribed by this section according to the type of deputy and transaction type.

9 (b) Title transactions. For each motor vehicle title transaction processed:

10 (1) A full service deputy may charge the customer a fee of up to \$20, as determined  
11 by the full service deputy and approved by the county tax assessor-collector.

12 (A) The full service deputy retains the entire fee charged to the customer.

13 (B) If a full service deputy is authorized by a county tax assessor-collector to  
14 review and approve title transactions submitted through webDEALER, the full service deputy is  
15 required to designate the fee of up to \$20 within the department’s Registration and Title System  
16 that will be assessed on webDEALER title transactions.

17 (2) A dealer deputy may charge the customer a fee of up to \$10, as determined by  
18 the dealer deputy and approved by the tax assessor-collector. The dealer deputy retains the entire  
19 fee charged to the customer. This section does not preclude a dealer deputy from charging a  
20 documentary fee authorized by Finance Code, §348.006.

21 (c) Registration and registration renewals. For each registration transaction processed:

22 (1) A full service deputy may:

1 (A) retain \$1 from the processing and handling fee established by §217.183  
2 of this title (relating to Fee Amount); and

3 (B) charge a convenience fee of \$9, except as limited by §217.184 of this  
4 title (relating to Exclusions).

5 (2) A limited service deputy may retain \$1 from the processing and handling fee  
6 established by §217.183.

7 (d) Special registration [Temporary] permit and special registration license plate  
8 transactions under Transportation Code, §502.094 or §502.095. For each special registration  
9 [temporary] permit or special registration license plate transaction processed by a full service  
10 deputy, the full service deputy may retain the portion of the [entire] processing and handling fee  
11 authorized by §217.185(b) of this title (relating to Allocation of Processing and Handling Fees).  
12 [established by §217.183.]

13 (e) Full service deputy convenience fee. The convenience fee authorized by this section is  
14 collected by the full service deputy directly from the customer and is in addition to the processing  
15 and handling fee established by §217.183. A full service deputy may not charge any additional fee  
16 for a registration or registration renewal transaction.

17 (f) Related transactions by a full service deputy. The limitations of subsections (b), (c), (d),  
18 and (e) of this section do not apply to other services that a full service deputy may perform that  
19 are related to titles or registrations, but are not transactions that must be performed through the  
20 department's automated vehicle registration and title system. Services that are not transactions  
21 performed through the department's automated vehicle registration and title system include, but  
22 are not limited to, the additional fees a full service deputy may charge for copying, faxing, or  
23 transporting documents required to obtain or correct a motor vehicle title or registration.

1 However, the additional fees that a full service deputy may charge for these other services may be  
2 limited by the terms of the county tax assessor-collector's authorization to act as deputy.

3 (g) Posting of fees. At each location where a full service deputy provides titling or  
4 registration services, the deputy must prominently post a list stating all fees charged for each  
5 service related to titling or registration. The fee list must specifically state each service, including  
6 the additional fee charged for that service, that is subject to subsections (b), (c), (d), or (e) of this  
7 section. The fee list must also state that each service subject to an additional fee under subsection  
8 (b), (c), (d), or (e) of this section may be obtained from the county tax assessor-collector without  
9 the additional fee. If the full service deputy maintains a website advertising or offering titling or  
10 registration services, the deputy must post the fee list described by this subsection on the website.

11 (h) Additional compensation. The fee amounts set forth in this section do not preclude or  
12 limit the ability of a county to provide additional compensation to a deputy out of county funds.

13

14 **SUBCHAPTER I. PROCESSING AND HANDLING FEES**

15 **43 TAC §§217.181 - 217.185**

16

17 **STATUTORY AUTHORITY.** In addition to the rulemaking authority provided in Section 34 of HB 718, the  
18 department proposes amendments to Chapter 217 under Transportation Code §502.0021, which gives  
19 the department authority to adopt rules to administer Transportation Code Chapter 502, Registration of  
20 Vehicles; Transportation Code §502.040, which authorizes the department to prescribe the process and  
21 procedures for applying for a motor vehicle registration; Transportation Code §502.059, which  
22 authorizes the department to adopt rules providing for an automated registration process;  
23 Transportation Code §502.1911 which authorizes the board to adopt rules to set registration processing

1 and handling fees; Transportation Code §520.003, which authorizes the department to adopt rules to  
2 administer Transportation Code Chapter 520, Miscellaneous Provisions; Transportation Code §520.004,  
3 which authorizes the department to adopt rules to establish standards for uniformity and service quality  
4 for counties conducting registration and titling services; Transportation Code §520.0055, as created by  
5 HB 718, gives the department authority to mandate motor vehicle dealers use a department designated  
6 electronic system to submit title and registration applications to the county tax assessor-collectors for  
7 motor vehicle transactions; and Transportation Code §1002.001, which authorizes the board to adopt  
8 rules that are necessary and appropriate to implement the powers of the department, as well as the  
9 statutes throughout this preamble.

10 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
11 §§502.0021, 502.040, 502.059, 502.1911, 520.003, 520.004, 520.055, and 1002.001.

12

13 Text.

14 §217.181. Purpose and Scope.

15 This subchapter prescribes the processing and handling fees [~~fee~~] authorized by Transportation  
16 Code, §502.1911, which include [~~includes~~] the fee established under Transportation Code,  
17 §502.356(a), and are [~~is~~] sufficient to cover the expenses associated with collecting registration  
18 fees by the department, a county tax assessor-collector, a private entity with which a county tax  
19 assessor-collector contracts under Transportation Code, §502.197, or a deputy assessor-collector  
20 that is deputized in accordance with Subchapter H of this chapter (relating to Deputies).

21

22 §217.182. Registration Transaction.

1 As used in this subchapter, a "registration transaction" is a registration or registration  
2 renewal under Transportation Code, Chapter 502, or a transaction to issue the following:

3 (1) a registration, registration renewal, special registration license plate, or special  
4 registration permit issued under Transportation Code, Chapter 502, Subchapter C (Special  
5 Registrations);

6 (2) a license plate issued under Transportation Code, §502.146;

7 (3) a temporary additional weight permit under Transportation Code, §502.434;

8 (4) a license plate or license plate sticker under Transportation Code, §§504.501,  
9 504.502, 504.506, or 504.507;

10 (5) a golf cart license plate under Transportation Code, §551.402; or

11 (6) a package delivery vehicle license plate under Transportation Code, §551.452.

12 (7) an off-highway vehicle license plate under Transportation Code, §551A.052.

13

14 §217.183. Fee Amount.

15 (a) Except as stated otherwise in this section and except as exempted ~~limited~~ by §217.184  
16 of this title (relating to Exclusions), a processing and handling fee in the amount of \$4.75 shall be  
17 collected with each registration transaction processed by the department, the county tax assessor-  
18 collector, or a deputy appointed by the county tax assessor-collector.

19 (b) Except as stated otherwise in subsection (c) of this section and except as exempted by  
20 §217.184 of this title (relating to Exclusions), for each registration transaction processed through  
21 the department's TxFLEET system, the processing and handling fee consists of the following, which  
22 the applicant must pay: 1) \$4.75; and 2) the applicable service charge. [For registrations processed  
23 through the TxIRP system, the applicant shall pay any applicable service charge.]

1           (c) If a transaction includes both registration and issuance of a license plate or specialty  
2 plate, the processing and handling fee shall be collected on the registration transaction only.

3

4 §217.184. Exclusions.

5           The following transactions are exempt from the processing and handling fees [fee]  
6 established by §217.183 of this title (relating to Fee Amount), but are subject to any applicable  
7 service charge set pursuant to Government Code, §2054.2591, Fees. The processing and handling  
8 fees [fee] may not be assessed or collected on the following transactions:

9                   (1) a replacement registration sticker under Transportation Code, §502.060;

10                   (2) a registration transfer under Transportation Code, §502.192;

11                   (3) an exempt registration under Transportation Code, §502.451 or §502.0025;

12                   (4) a vehicle transit permit under Transportation Code, §502.492;

13                   (5) a replacement license plate under Transportation Code, §504.007;

14                   (6) a registration correction receipt, duplicate receipt, or inquiry receipt;

15                   (7) an inspection fee receipt; or

16                   (8) an exchange of license plate for which no registration fees are collected.

17

18 §217.185. Allocation of Processing and Handling Fees. [~~Fee.~~]

19           (a) For registration transactions, except as provided in subsection (b) of this section, the  
20 fee amounts [~~amount~~] established in §217.183 of this title (relating to Fee Amount) shall be  
21 allocated as follows:

22                   (1) If the registration transaction was processed in person at the office of the  
23 county tax assessor-collector or mailed to an office of the county tax assessor-collector:



1 (A) the county tax assessor-collector may retain \$2.30; and

2 (B) the remaining amount shall be remitted to the department.

3 (2) [~~If the registration transaction was mailed to office of the county tax assessor-~~  
4 ~~collector;~~]

5 [~~(A) the county tax assessor collector may retain \$2.30; and~~]

6 [~~(B) the remaining amount shall be remitted to the department.~~]

7 [~~(3)~~] If the registration transaction was processed through the department or the  
8 TxFLEET [~~TxIRP~~] system or is a registration processed under Transportation Code, §§502.0023,  
9 502.091, or 502.255; or §217.46(b)(5) or(d)(1)(B)(i) of this title (relating to Commercial Vehicle  
10 Registration):

11 (A) \$2.30 will be remitted to the county tax assessor-collector; and

12 (B) the remaining amount shall be retained by the department.

13 (3)[(4)] If the registration transaction was processed through Texas by Texas (TxT)  
14 or the department's Internet Vehicle Title and Registration Service (IVTRS), [~~online registration~~  
15 ~~portal,~~] the fee established in §217.183 is discounted by \$1:

16 (A) Texas Online receives the amount set pursuant to Government Code,  
17 §2054.2591, Fees;

18 (B) the county tax assessor-collector may retain \$.25; and

19 (C) the remaining amount shall be remitted to the department.

20 (4)[(5)] If the registration transaction was processed by a limited service deputy or  
21 full service deputy appointed by the county tax assessor-collector in accordance with Subchapter H  
22 of this chapter (relating to Deputies):

23 (A) the deputy may retain:

1 (i) the amount specified in §217.168(c) of this title (relating to  
2 Deputy Fee Amounts). The deputy must remit the remainder of the processing and handling fee to  
3 the county tax assessor-collector; and

4 (ii) the convenience fee established in §217.168, if the registration  
5 transaction is processed by a full service deputy;

6 (B) the county tax assessor-collector may retain \$1.30; and

7 (C) the county tax assessor-collector must remit the remaining amount to  
8 the department.

9 (5)~~[(6)]~~ If the registration transaction was processed by a dealer deputy appointed  
10 by the county tax assessor-collector in accordance with Subchapter H of this chapter (relating to  
11 Deputies):

12 (A) the deputy must remit the processing and handling fee to the county tax  
13 assessor-collector;

14 (B) the county tax assessor-collector may retain \$2.30; and

15 (C) the county tax assessor-collector must remit the remaining amount to  
16 the department.

17 (b) For transactions under Transportation Code, §§502.093 – 502.095, ~~§§502.092–~~  
18 ~~502.095,~~ the entity receiving the application and processing the transaction collects ~~[and retains]~~  
19 the \$4.75 ~~[entire]~~ processing and handling fee established in §217.183; ~~[-]~~

20 (1) the entity may retain \$4.25;

21 (2) the entity must remit the remaining amount to the department; and

1           (3) a [A] full service deputy processing a special registration [~~temporary~~] permit or  
2           special registration license plate transaction may not charge a convenience fee for that  
3           transaction.

4  
5                           **SUBCHAPTER J. PERFORMANCE QUALITY RECOGNITION PROGRAM**

6   **43 TAC §217.205**

7  
8           **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation  
9           Code, §520.003, which authorizes the department to adopt rules to administer Transportation Code,  
10           Chapter 520, Miscellaneous Provisions; Transportation Code, §520.004, which authorizes the department  
11           to adopt rules to establish standards for uniformity and service quality for counties conducting  
12           registration and titling services; and Transportation Code, §1002.001, which authorizes the board to adopt  
13           rules that are necessary and appropriate to implement the powers and the duties of the department, as  
14           well as the statutes referenced throughout this preamble.

15           **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code  
16           §§520.003, 501.004, and 1002.001.

17  
18           Text.

19           §217.205. Department Decision to Award, Deny, Revoke, or Demote a Recognition Level.

1 (a) Award of recognition level. The department may award a recognition level based on the  
2 following for the time frame of September 1st through August 31st immediately preceding the  
3 application deadline:

4 (1) information and documents contained in the application;

5 (2) any additional information, documentation, or clarification requested by the  
6 department; and

7 (3) information and documentation from department records.

8 (b) Denial of recognition level. The department may deny an award of recognition if:

9 (1) the application contains any incomplete or inaccurate information;

10 (2) the applicant fails to provide requested documents;

11 (3) the application contains incomplete documents;

12 (4) the application was not received by the department or postmarked by the  
13 department's deadline;

14 (5) the county tax assessor-collector who applied for recognition no longer holds the  
15 office of county tax assessor-collector;

16 (6) the county tax assessor-collector did not sign the application; or

17 (7) the department discovers information which shows the applicant does not comply  
18 with the criteria to receive a recognition level.

19 (c) Revocation of recognition level or demotion of recognition level.

1                   (1) The department may revoke a recognition level if the department discovers  
2 information which shows the county tax assessor-collector no longer complies with the criteria for any  
3 recognition level.

4                   (2) The department may demote a recognition level if the department discovers  
5 information which shows the county tax assessor-collector no longer complies with the criteria for the  
6 current recognition level, but still complies with the criteria for a recognition level. The recognition level  
7 will be demoted to the highest recognition level for which the county tax assessor-collector qualifies.

8                   (d) Notice of department decision to award, deny, revoke, or demote a recognition level. The  
9 department shall notify the county tax assessor-collector of the department's decision via email,  
10 facsimile transmission, or regular mail.

11                   (e) Deadline for department decision to award or to deny a recognition level. No later than  
12 December 31st of the calendar year ~~[90 calendar days after receiving the application for recognition]~~,  
13 the department shall send a written notice to the applicant stating:

14                   (1) the department's decision to award or to deny a recognition level; or

15                   (2) there will be a delay in the department's decision.

16

17

#### **SUBCHAPTER L. ASSEMBLED VEHICLES**

18

#### **43 TAC §217.404**

19

**STATUTORY AUTHORITY:** The department proposes amendments to Chapter 217 under Transportation

20

Code §731.002 which authorizes the department to adopt rules as necessary to implement Chapter 731,

1 governing assembled vehicles; and §1002.001, which authorizes the department to adopt rules that are  
2 necessary and appropriate to implement the powers and the duties of the department.

3 **CROSS REFERENCE TO STATUTE:** The proposed amendments would implement Transportation Code  
4 §§731.002, 731.051, and 1002.001.

5  
6 Text.

7 §217.404. Initial Application for Title.

8 (a) ~~An [Prior to applying for title, an]~~ applicant must submit to the department a complete  
9 application for title. The application may be submitted in person, by mail, or electronically, to the  
10 department. The application must include:

11 (1) photographs of the front, rear, and side of the assembled vehicle, and if a  
12 replica, a photograph of what the vehicle is a replica of;

13 (2) evidence of ownership of the basic component parts of the assembled vehicle as  
14 described in §217.405 of this subchapter (relating to Evidence of Ownership), as applicable to the  
15 type of assembled vehicle;

16 (3) if applicable, proof, on a form prescribed by the department, of a safety  
17 inspection required under §217.143 of this chapter (relating to Assembled Vehicle Inspection  
18 Requirements), and Transportation Code §731.101;

19 (4) if applicable, a copy of the Automobile and Light Truck certification, or a  
20 successor certification, for the master technician who completed the inspection described in  
21 paragraph (3) of this subsection;

22 (5) a copy of the inspection that may be required under Transportation Code  
23 Chapter 548 if the assembled vehicle is to be registered for operation on the roadway;

1 (6) a Rebuilt Vehicle Statement;

2 (7) a weight certificate;

3 (8) identification as required in §217.5(d) of this chapter (relating to Evidence of  
4 Motor Vehicle Ownership); and

5 (9) any of the following means to establish the vehicle identification number:

6 (A) an Application for Assigned or Reassigned Number, and Notice of  
7 Assigned Number or Installation of Reassigned Vehicle Identification Number, on forms prescribed  
8 by the department;

9 (B) an Application for Assigned or Reassigned Number, establishing the  
10 vehicle identification number assigned by the manufacturer of the component part by which the  
11 assembled vehicle will be identified;

12 (C) acceptable proof, as established by the department, of a vehicle  
13 identification number assigned by the maker of the kit used to construct the assembled vehicle; or

14 (D) acceptable proof, as established by the department, of a vehicle  
15 identification number assigned by the manufacturer of the replica, custom vehicle, street rod, or  
16 glider kit.

17 (b) Following receipt of all information required under subsection (a) of this section, the  
18 department will review the application for completeness and to determine if ~~that~~ the vehicle  
19 meets assembled vehicle qualifications under Transportation code, Chapter 731.

20 (c) If the department determines that the application is complete and the vehicle meets  
21 assembled vehicle qualifications, the department will issue a letter to the applicant on department  
22 letterhead, stating that the application is complete and that the vehicle qualifies as an assembled

1 vehicle. The letter shall include a list of the supporting documents and information identified in  
2 subsection (d)(2) of this section.

3 (d) Following receipt of the department's letter described in subsection (c) of this section,  
4 the applicant may then submit the letter and the completed application to the county tax assessor-  
5 collector for processing. The application must include:

6 (1) the department-issued letter described in subsection (c) of this section;

7 (2) copies of all items required to be submitted to the department in subsection  
8 (a)(1) - (9) of this section; and

9 (3) the requirements as identified in §217.23 of this chapter (relating to Initial  
10 Application for Vehicle Registration) if obtaining registration.

11

12