

1 **ADOPTION OF REVISION TO**

2 **SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

3 **43 TAC §217.66**

4 **INTRODUCTION.** The Texas Department of Motor Vehicles (department) adopts new 43 Texas
5 Administrative Code (TAC) Chapter 217, Subchapter B, Motor Vehicle Registration, §217.66. The
6 department adopts new §217.66 without changes to the proposed text as published in the December 27,
7 2024, issue of the *Texas Register* (49 TexReg 10503). The rule will not be republished.

8 **REASONED JUSTIFICATION.** A stakeholder who owns fleets of trailers that are rented frequently for one-
9 way trips has requested that the department issue a “permanent license plate” for the trailers by
10 removing the requirement that the trailers bear a license plate with an expiration date or a separate
11 registration insignia to validate the license plate at renewal. This stakeholder explained that returning a
12 trailer to its registration address annually for a new registration insignia is logistically difficult and reduces
13 business efficiency and profitability. Transportation Code, §504.516 allows the department to issue
14 specially designed license plates for rental trailers, and Transportation Code, §502.059(e)(1) authorizes
15 the department to designate specialized license plates that are exempt from the requirement to attach a
16 registration insignia to validate the license plate under Transportation Code, §502.059(c). Adopted new
17 §217.66 designates the rental trailer license plate as a specialized license plate, with no required
18 additional registration insignia. The adopted new rule eliminates the regular replacement of additional
19 registration insignia on these vehicles.

20 However, without registration insignia, the specialized rental trailer license plate will provide less
21 information for law enforcement, since it will no longer be evident from the face of the plate whether the
22 trailer’s registration was current. It is therefore important to limit the number of vehicles that are eligible
23 for this specialized license plate, to limit the impact on law enforcement. First, Transportation Code,

1 §504.516(b)(2) limits the vehicles that are eligible for the plate by defining a “rental trailer” as a “utility
2 trailer,” so the rental trailer plate is only available for a utility trailer. In the industry, “utility trailer” is a
3 commonly used term for flatbed trailers with no roof and either low side walls or no side walls. Adopted
4 new §217.66(a)(2) defines “utility trailer” to reflect this meaning. It also limits “utility trailer” to only
5 include a vehicle with a gross weight of 7,500 pounds or less, to exclude heavier flatbed vehicles that are
6 not typically described in the industry as “utility trailers.” Further, adopted new §217.66(a)(1) creates a
7 definition for “rental fleet” so that persons who rent fewer than five trailers do not qualify for the
8 specialized plate, further ensuring that the specialized plate has a limited impact on law enforcement.

9 Adopted new §217.66 applies to any vehicle registration type for which the applicant qualifies,
10 except for registration under Transportation Code, §502.0023, which requires the license plate to include
11 the expiration date of the registration period unless the license plate is issued for a token trailer. The
12 department is not authorized by rule to exempt a registrant from the requirement to display the
13 expiration date on the license plate under Transportation Code, §502.0023(d)(2). Also, a “utility trailer,”
14 as defined by adopted new §217.66(a)(2), does not qualify for a token trailer license plate because
15 Transportation Code, §502.255(a) states that the token trailer license plate is only available for a
16 semitrailer that has a gross weight of more than 6,000 pounds.

17 **SUMMARY OF COMMENTS.**

18 No comments were received on the proposed new section.

19

20 **STATUTORY AUTHORITY.** The department adopts new section §217.66 under Transportation Code,
21 §502.0021, which authorizes the department to adopt rules to administer Transportation Code, Chapter
22 502; Transportation Code, §502.059(e)(1), which authorizes the department to designate specialized
23 license plates that are exempt from the requirement to attach a registration insignia to validate the

1 license plate; Transportation Code, §504.0011, which authorizes the board to adopt rules to implement
2 and administer Transportation Code, Chapter 504; Transportation Code, §504.516, which allows the
3 department to issue specially designed license plates for rental utility trailers and to prescribe a
4 manner of designating a “rental fleet”; Transportation Code, §1002.001, which authorizes the board
5 to adopt rules that are necessary and appropriate to implement the powers and the duties of the
6 department, and the statutes referenced throughout this preamble.

7 **CROSS REFERENCE TO STATUTE.** Transportation Code, Chapters 502, 504 and 1002.

8

9 TEXT.

10

SUBCHAPTER B. MOTOR VEHICLE REGISTRATION

11

§217.66. Specialized License Plate for Registration of Rental Trailers.

12

(a) For purposes of this section:

13

(1) “rental fleet” means five or more rental trailers that are:

14

(A) owned by the same owner; and

15

(B) offered for rent or rented without drivers.

16

(2) “utility trailer” means:

17

(A) a trailer of flatbed design with no roof and either low side walls or

18

no side walls; and

19

(B) with a gross weight of 7,500 pounds or less.

20

(b) Notwithstanding §217.27(a)(2) and (c)(2) of this title (relating to Vehicle Registration

21

Insignia), the department shall issue a registration receipt and one specialized metal license plate

22

as evidence of registration for a utility trailer that is part of a rental fleet. The specialized metal

1 license plate under this section does not include an expiration date or require an annual
2 registration insignia to be valid under Transportation Code, §502.059.

3 (c) This section does not apply to vehicles registered under Transportation Code,
4 §502.0023.

5