



1 certified copy of a government-issued document for a child born abroad to a United States citizen, such  
2 as a Consular Report of Birth or a Department of State Certification of Birth. These documents prove that  
3 a person has the legal right to reside in Texas.

4 The adopted amendments also include a new §217.22(46), defining “valid passport” as an  
5 unexpired passport or passport card that is issued by the United States government, or an unexpired  
6 passport that is issued by the government of another country and supported by a Form I-94, a current  
7 permanent resident card, or an unexpired immigrant visa issued by the United States Department of  
8 Homeland Security, to show that the person has the legal right to reside in the United States. At adoption,  
9 the proposed language in the definition of “valid passport” that would have required a stamp or mark on  
10 the passport was removed and “Form I-94, unless the Form I-94 shows that the bearer only had Parole  
11 status” was added in its place, because the department learned through public comment that the federal  
12 government no longer stamps passports but instead uses the Form I-94. The exception for Parole status  
13 is necessary because Parole status is a temporary status that can be revoked at any time and without  
14 notice by the federal government. The remaining paragraphs in §217.22 are adopted to be renumbered  
15 as necessary to accommodate the new definitions. These adopted amendments to §217.22 are necessary  
16 to clarify the meaning of terms used in the adopted amendments to §217.26, and to strengthen the  
17 document validity requirements for vehicle registration to prevent fraud and to prevent applicants who  
18 are not legally eligible to reside in Texas from registering vehicles to drive on Texas roads.

19 The adopted amendments to §217.26 distinguish the personal identification document  
20 requirements for registration by type of registration. Under §217.26(a), an applicant for registration needs  
21 to provide a “current photo identification,” as defined under §217.22(11), that can be expired by not more  
22 than 12 months. While this leeway is appropriate and creates efficiency for vehicle registration types that  
23 are generally used for commercial, industrial, or agricultural purposes, or for registration types that are

1 not based on Texas residency, it is not appropriate for registrations that require Texas residency under  
2 Transportation Code, §502.040 because it invites fraud by individuals using expired, invalid identification  
3 documents. Additionally, not all of the identification documents allowed under §217.26(a) prove that an  
4 individual is legally authorized to reside in Texas, which is required for vehicle registration as an individual  
5 Texas resident under Transportation Code, §502.040. Legal residency is not a static status; it is subject to  
6 change, including a change based on federal statutes, regulations, executive orders, or case law.  
7 Therefore, the department has amended §217.26(b) to create stricter requirements for the personal  
8 identification documents that an individual applicant must present for vehicle registration as a Texas  
9 resident requiring a valid, unexpired identification document for individual Texas resident vehicle  
10 registrants. Thus, while adopted new §217.26(b) limits the types of personal identification documents the  
11 department accepts from applicants seeking vehicle registration as a Texas resident, the adopted  
12 amendments to §217.26(a) preserve the existing flexibility in acceptable personal identification for  
13 applicants seeking types of registration that either do not require the applicant to be a resident of Texas  
14 or are generally used exclusively for commercial, industrial, or agricultural purposes, and are therefore  
15 not as subject to fraud.

16 At adoption, §217.26(a) was amended to remove the specific reference to Transportation Code,  
17 Chapter 502, to incorporate vehicle registrations under authority in other statutes. Additional  
18 amendments to §217.26(a) at adoption added a cross-reference to the specific sections of §217.26 that  
19 contain other requirements, or exemptions from requirements, for personal identification, and a  
20 reference to the types of registration that are excluded from §217.26(b) to clarify that those registration  
21 types are subject to the personal identification requirements of §217.26(a).

22 Under the adopted amendments to §217.26(b), applicants for vehicle registration under  
23 Transportation Code Chapter 502 have to show one of five types of identification: (1) a valid, unexpired

1 driver’s license or state identification certificate that complies with REAL ID, is not marked “limited term”  
2 or “temporary,” and was issued by a state or territory of the United States; (2) a valid, unexpired driver’s  
3 license or state identification certificate issued by a state that requires proof of legal presence in the  
4 United States for issuance; (3) an valid, unexpired driver’s license or state identification certificate issued  
5 by a state or territory of the United States, regardless of whether it complies with REAL ID or was issued  
6 by a state that requires proof of legal presence, so long as it is accompanied by a United States birth  
7 certificate as defined in new §217.22(45), United States Certificate of Naturalization (N-550 or N-570), or  
8 a United States Certificate of Citizenship (N-560 or N-561); (4) a valid passport; or (5) a valid, unexpired  
9 license to carry a handgun issued by the Texas Department of Public Safety under Government Code,  
10 Chapter 411, Subchapter H. All five of these methods of identification provide proof that the applicant is  
11 legally eligible to reside in Texas. These adopted amendments are necessary to prevent identity fraud by  
12 no longer relying on expired credentials, and to prevent applicants who are not legally eligible to reside  
13 in Texas from registering vehicles in Texas.

14       The proposed rule amendments allowed only three types of acceptable identification documents:  
15 (1) a driver’s license that complies with REAL ID; (2) a valid passport; or (3) valid, unexpired license to carry  
16 a handgun. REAL ID requires that the issuing authority verify the legal presence status of applicants who  
17 are not United States citizens. As stated above, the adopted new definition of “valid passport” in  
18 §217.22(46) requires that the applicant is legally eligible to reside in Texas. Business and Commerce Code  
19 §507.001 (relating to Concealed Handgun License as Valid Proof of Identification), requires that the  
20 department accept a Texas handgun license in lieu of a driver’s license; an applicant for a handgun license  
21 must provide proof of citizenship or lawful presence.

22       During the public comment process, the department became aware that many individuals that  
23 are United States citizens or lawfully present in the United States prefer to obtain driver’s licenses or state

1 identification certificates that do not comply with REAL ID. To address this, the department at adoption  
2 added two additional forms of acceptable identification documents for registration in §217.26(b)(2) and  
3 (3), to allow individuals to use driver’s licenses and state identification certificates that do not comply with  
4 REAL ID requirements for registration while still ensuring that the identification documents prove that the  
5 applicant is legally eligible to reside in Texas.

6 REAL ID is not mandatory under federal law. A majority of the states allow an applicant to obtain  
7 a driver’s license or state-issued identification certificate that does not comply with the requirements of  
8 REAL ID. Only five states require all new driver’s licenses and identification certificates they issue to be  
9 REAL ID compliant: Texas, Florida, Michigan, Nebraska, and Wyoming. The following additional states all  
10 require proof of legal residence prior to issuing a driver’s license or a state identification certificate, even  
11 when the identification issued does not comply with all the other requirements of REAL ID: Alabama,  
12 Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi,  
13 Missouri, Montana, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South  
14 Carolina, South Dakota, Tennessee, West Virginia, and Wisconsin. Under new §217.26(b)(2), which was  
15 added at adoption, an applicant can apply for vehicle registration with a driver’s license or state-issued  
16 identification certificate regardless of whether it complies with the requirements of REAL ID if it was issued  
17 by a state that requires proof of legal presence in the United States.

18 New §217.26(b)(3), which was also added at adoption, creates requirements to address the  
19 remaining states, which do not check for legal presence in the United States when issuing a driver’s license  
20 or state-issued identification certificate that does not comply with REAL ID. Adopted new §217.26(b)(3)  
21 allows an applicant to provide their unexpired driver’s license or state identification certificate from any  
22 state or territory of the United States, if it is accompanied by a United States birth certificate as defined  
23 in new §217.22(45), a United States Certificate of Naturalization (N-550 or N-570), or a United States

1 Certificate of Citizenship (N-560 or N-561) to prove citizenship. The department also amended  
2 §217.26(b)(1) at adoption to limit the use of a REAL ID to only those driver’s licenses or state-issued  
3 identification certificates that are not marked “limited term” or “temporary,” since these markings are  
4 used to denote non-citizens with temporary immigration status. REAL ID-compliant driver’s licenses that  
5 are marked “limited term” or “temporary” could only be used by a registration applicant if they met the  
6 requirements of §217.26(b)(2) or (3) as amended at adoption. These applicants could also use a valid  
7 passport, as defined by adopted new §217.22(46), to register their vehicle. These new amendments at  
8 adoption will give Texas residents with a driver’s license from another state more options when registering  
9 their vehicles, while still ensuring that all vehicle registrants are legally eligible to reside in Texas.

10 An amendment to §217.26(b) at adoption creates a cross-reference to the specific sections of  
11 §217.26 that contain other requirements, or exemptions from requirements, for personal identification.  
12 The department also added amendments to §216.26(b) at adoption to clarify that the strengthened  
13 identification requirements do not apply to an application for initial registration under Transportation  
14 Code, Chapter 502, Subchapters C (Special Registrations) or I (Alternate Registration Fees); §502.146  
15 (Certain Farm Vehicles and Drilling and Construction Equipment); a registration under §217.66 of this title  
16 (relating to Specialized License Plate for Registration of Rental Trailers); or a commercial vehicle  
17 registration under §217.46(b) of this title (relating to Commercial Vehicle Registration). An applicant for  
18 registration under one of these provisions must comply with the applicable identification requirements  
19 under §217.26(a) or (c), unless the registration falls under new §217.26(h) as explained below. These  
20 provisions apply to certain types of registration that do not require the applicant to be a resident of Texas,  
21 or certain types of registration that are generally used either (1) by motor carriers or transit authorities;  
22 or (2) for soil conservation, farming, ranching, agriculture, drilling water wells, oil well servicing or drilling,  
23 and certain other commercial or industrial purposes. These changes at adoption were necessary because

1 these registration types are not generally used by individuals for routine personal vehicle registration and  
2 are therefore less susceptible to fraud or to misuse by people who are not legally eligible to reside in  
3 Texas. For these specific types of registration, the loss of efficiency for commerce and industry that could  
4 result from the enhanced identification requirements under new §217.26(b) outweighs the risks of  
5 allowing more forms of personal identification for vehicle registration. The remaining subsections of  
6 §217.26 are adopted to be re-lettered to accommodate proposed new §217.26(b). At adoption, the  
7 department added cross-references to subsections (c), (g), and (h) in §217.26(b) to clarify that §217.26(b)  
8 is subject to those exceptions.

9         The department also added cross-references in §217.26(c) at adoption. The department added a  
10 cross-reference in §217.26(c)(1) to subsections (a), (b), and (c)(2) - (4), to clarify that those sections  
11 contain the personal identification requirements that would apply to the registration of a vehicle with  
12 more than one owner, depending on the type of owner and type of registration. The department also  
13 added cross-references in §217.26(c)(2) - (4) citing §217.26(a), to clarify which personal identification  
14 requirements apply to those specific registration situations. In §217.26(c)(3), the department added “or  
15 authorized trustee representative if the trustee is a legal entity” at adoption, to clarify whose personal  
16 identification the department requires for registration of a vehicle by a trust.

17         At adoption, the department added new §217.26(h), which exempts the following from the  
18 identification requirements under §217.26: apportioned registration under the International Registration  
19 Plan (IRP); exempt vehicle registrations under Transportation Code, Chapter 502, Subchapter J, or  
20 §502.0025; and registration of off-highway vehicles owned by the state, a county, or a municipality under  
21 Transportation Code, §502.140(c).

22         IRP is a vehicle registration reciprocity agreement between the 48 contiguous states of the United  
23 States, the District of Columbia, and the Canadian provinces. Texas is a member of IRP, as authorized by

1 Transportation Code, §502.091 and 49 U.S.C. §31704, and must comply with IRP. Sections 305 and 310 of  
2 IRP authorize a person to register an “apportionable vehicle,” as defined by IRP, in a jurisdiction that is a  
3 member of IRP (member jurisdiction) if the person has an “established place of business” in that member  
4 jurisdiction as defined by Section 305 of IRP. An “established place of business” is not the same as a  
5 residence. If an applicant for apportioned registration does not have an “established place of business” in  
6 a member jurisdiction, the applicant may register a vehicle in a member jurisdiction in which the applicant  
7 can demonstrate “residence” under the requirements in Section 305 of IRP, which requires a “resident  
8 driver’s license or non-driver issued identification.” Apportioned registration in Texas is governed by 43  
9 TAC §217.56, rather than §217.26. Also, the identification requirements under §217.26 to establish  
10 residence are inconsistent with Section 305 of IRP. It was therefore necessary at adoption to exempt  
11 vehicles registered under IRP from the requirements of §217.26.

12           The registration classes under Transportation Code, Chapter 502, Subchapter J, are exempt from  
13 registration fees and are used by or for government entities or for a purpose that benefits the public. An  
14 example of a vehicle used to benefit the public is a commercial motor vehicle, trailer, or semitrailer owned  
15 by a nonprofit disaster relief organization and used exclusively by the organization for activities related to  
16 disaster relief. The registration classes under Subchapter J have special application requirements under  
17 the relevant statutes to require the applicant to show that the applicant is eligible for one of these classes  
18 of registration, and most of these registration classes have special registration requirements under  
19 §217.55 of this title (relating to Exempt and Alias Vehicle Registration). Also, the vehicles that are eligible  
20 for one of these registration classes must generally display an external indication on the vehicle that  
21 indicates its exempt status, such as the name of the governmental agency printed on each side of the  
22 vehicle, a license plate that includes the word “exempt,” or a license plate that indicates the specific use  
23 of the vehicle such as a license plate that includes the words “Disaster Relief.” Governmental agencies

1 that are required to print the name of the agency and other information on each side of the motor vehicle  
2 are subject to having their motor vehicle seized by a peace officer under Transportation Code, §502.452(c)  
3 if the governmental agency operates the motor vehicle on a public highway when the motor vehicle is not  
4 identified by Transportation Code, §502.452(a) or (b), unless the vehicle falls under the exemption  
5 provided under Transportation Code, §502.452(f). Therefore, the exempt registration classes under  
6 Chapter 502, Subchapter J are less susceptible to fraud or use by individuals who do not have a legal right  
7 to reside in Texas, so an amendment at adoption was necessary to exempt these vehicles from individual  
8 personal identification registration requirements to avoid waste and inefficiency for the government and  
9 non-profit entities that qualify for exempt registration.

10 The registration class under Transportation Code, §502.140(c) is limited to “an off-highway vehicle  
11 that is owned by the state, county, or municipality for operation on a public beach or highway to maintain  
12 public safety and welfare.” Due to the limitation on the use of such vehicles and the fact that this  
13 registration class is limited to an off-highway vehicle owned by the government, the identification  
14 requirements under §217.26 are not necessary because there are sufficient protections in place to  
15 prevent an individual from obtaining this registration class.

16 Adopted amendments to §217.28(c) and (d) and §217.29(d) and (e) require applicants seeking to  
17 renew a motor vehicle registration to provide documents or information to allow the department to verify  
18 that the vehicle owner has a personal identification document that meets the requirements of amended  
19 §217.26. These changes are necessary to implement the new identification requirements under §217.26  
20 for most registered vehicles, including those that were initially registered prior to the effective date of the  
21 adopted amendments to §217.26. Paragraphs under §217.28(c) are renumbered to accommodate the  
22 addition of the new identification requirements in adopted new §217.28(c)(2). Paragraphs under

1 §217.29(d) and (e) are renumbered to accommodate the addition of the new identification requirements  
2 in adopted new §217.29(d)(2) and (e)(4).

3           At adoption, the department amended the language of §217.29(d)(2) to exempt the following  
4 registrations from the new requirement for the applicant to show personal identification at renewal that  
5 meets the applicable requirements under §217.26: registration under §217.66 of this title (relating to  
6 Specialized License Plate for Registration of Rental Trailers), §217.46(b)(5) of this title (relating to  
7 Commercial Vehicle Registration) regarding a forestry vehicle license plate, Transportation Code,  
8 §§502.0023 (Extended Registration of Commercial Fleet Vehicles), and Transportation Code, §502.0024  
9 (Extended Registration of Certain Trailers). The specific qualifying requirements in rule and statute for  
10 these types of registration make them unlikely to be obtained by individual residents. The trailers in the  
11 rental fleet under §217.66 must be owned by the same owner and offered for rent or rented without  
12 drivers. The forestry vehicle license plate is available only for vehicles that are used exclusively to  
13 transport forest products in their natural state, including logs and wood chips. The vehicles that are  
14 eligible for extended registration under Transportation Code, §502.0023 are motor vehicles, semitrailers,  
15 and trailers in the “commercial fleet,” which is defined in Transportation Code, §502.001 to require the  
16 vehicles to be owned, operated, or leased by a business entity and used for the business purposes of that  
17 entity. The trailers that are eligible for extended registration under Transportation Code, §502.0024 are  
18 trailers, semitrailers, and pole trailers with an actual gross weight or registered gross weight of 7,500  
19 pounds or less. While Transportation Code, §502.0024 does not limit the use of these trailers to a business  
20 purpose, each of these types of trailers are trailing units, which require a separate registered motor  
21 vehicle to pull them before they can go on the road. The truck or tractor pulling the trailers would still be  
22 subject to separate registration requirements, including the new identification requirements, so requiring  
23 identification at renewal for the unpowered trailers would be redundant and inefficient. Creating these

1 exceptions in §217.29(d)(2) at adoption was necessary because the loss of efficiency for commerce that  
2 could come from having to show personal identification at registration renewal outweighed other  
3 concerns, since these registration types are either: (1) not used by individual Texas residents for personal  
4 vehicle registration and are therefore less susceptible to identity fraud, or (2) fall within the category of  
5 trailing units that are pulled by a separate motor vehicle, which the owner must register separately.

6 In response to public comments requesting a delay to the implementation of the personal  
7 identification requirements for registration renewal under §217.28 and §217.29, the department has  
8 delayed the effective date of §217.28 and §217.29 to January 1, 2027. This delay will allow time for the  
9 department and tax assessor-collectors to improve systems and processes to facilitate quick and efficient  
10 registration renewal with automated identification verification methods that mitigate the risk of fraud  
11 and identity theft. The delay will also allow lenders and dealers additional time to adapt their business  
12 processes to account for the application of revised personal identification requirements to registration  
13 renewals.

14 **SUMMARY OF COMMENTS.**

15 The department received 279 comments on the proposal.

16 The department received 267 comments against the adoption of the proposed rule amendments  
17 from the Independent Bankers Association of Texas (IBAT), the Texas Bankers Association, the Texas  
18 Credit Union Association, the Texas Independent Automobile Dealers Association (TIADA), AARPTexas,  
19 the Texas Automobile Dealers Association (TADA), the Houston Automobile Dealers Association (HADA),  
20 the New Car Dealers of West Texas (NCDWT), the San Antonio Automobile Dealers Association, Inc.,  
21 (SAADA), the El Paso New Car Dealers Association (EPNCDA), the Valley Automobile Dealers Association  
22 (VADA), the Austin Automobile Dealers Association (AADA), the North Texas Automobile Dealers (NTXAD),  
23 the Workers Defense Action Fund (WDAF), the Texas United Auto and Community Alliance (TUACA), Every

1 Texan, the Tax Assessor-Collectors Association of Texas (TACA), the Texas Conference of Urban Counties  
2 (TCUC), the Texas Department of Public Safety (TxDPS), Texas State Senator Juan “Chuy” Hinojosa, Texas  
3 State Senator Molly Cook, Texas State Representative Armando Walle, Texas State Representative Terry  
4 Canales, Texas State Representative Christina Morales, Texas State Representative Vincent Perez, the  
5 Bexar County Tax Assessor-Collector, the Travis County Tax Assessor-Collector, the Dallas County Tax  
6 Assessor-Collector, El Paso County, the Webb County Tax Assessor-Collector, and 237 other individuals.  
7 The department received comments from 12 individuals in support of adoption of the proposed rules.  
8 **Comment.** The department received comments from TIADA, WDAF, TUACA, State Representative Terry  
9 Canales, State Representative Armando Walle, State Representative Christina Morales, the Travis County  
10 Tax Assessor-Collector, El Paso County, and 132 other individuals in opposition to the proposed  
11 amendments because they would have a negative financial impact on businesses that serve immigrant  
12 and low-income communities, including car dealerships, title transfer businesses, and lenders. One dealer  
13 commented that it had seen a 25%-30% drop in transactions since the identification requirements  
14 changed. Another dealer commented that the identification requirements have caused a 50% drop in  
15 sales, a 30% decrease in collections, and a 20% increase in repossessions at his dealership. One lender  
16 estimated an increase in administrative expenses of \$50,000-\$100,000 per year, and reduced loan volume  
17 of 5%-10% per year. Another dealer estimated an annual revenue reduction of approximately \$50 million,  
18 a workforce reduction of 100-125 employees, closure of retail locations, and the elimination of all  
19 community outreach, charitable events and social responsibility programs that the dealers currently fund.  
20 Another dealer stated that it had experienced a 66% drop in sales with the new identification  
21 requirements. Still another dealer said that it had lost 75% of its sales due to the new guidance on  
22 identification requirements. Another dealer expected a negative impact on sales of 4%-5%. Two dealers  
23 commented that each of them had lost 20% of sales due to the new registration identification

1 requirements and expected to lay off employees. A title services business operator stated that her  
2 revenue from title transfers had been reduced by 85% in December 2025. Two dealers stated that their  
3 sales had decreased by more than 50% during the period of November 2025 to January 2026, as compared  
4 to the same period in 2024-2025. A dealer feared that the proposed new identification requirements  
5 would devalue his dealership to such an extent that he should not pass it on to his children because it  
6 would only be a burden. These dealers also stated that customers that only had individual taxpayer  
7 identification numbers produced lower loss ratios than customers that were United States citizens.

8 **Response.** The department disagrees. People can continue using foreign passports to obtain legal title to  
9 purchased vehicles, so that they can export them to their home country or sell the vehicle if they are  
10 unable to use it. Under Transportation Code §502.040, people who are not legally eligible to reside in  
11 Texas are not authorized to register vehicles as Texas residents. Dealers and lenders should perform  
12 sufficient due diligence to ensure they are doing business with a person who is legally authorized to reside  
13 in Texas if the person is requesting to register a vehicle in Texas. The department is not authorized to  
14 support business operations inconsistent with state laws.

15 **Comment.** IBAT, TIADA, and 36 individuals commented in opposition to the proposed amendments  
16 because people who have purchased vehicles but are unable to register them will be more likely to default  
17 on car loans. IBAT, TIADA, and 10 individuals noted that the Consumer Financial Protection Bureau and  
18 the U.S. Department of Justice issued guidance in October 2023 cautioning creditors against denying  
19 credit based solely on immigration status when applicants are otherwise qualified, which caused lenders  
20 to lend without looking into immigration status. IBAT commented that the proposed identification  
21 requirements are inconsistent with the federal Customer Identification Program requirements that  
22 dictate the information a bank must obtain from an individual opening an account. IBAT and an individual  
23 commented that if buyers fail to register their vehicles out of fear that they will not be able to provide the

1 necessary personal identification documents, it will make locating and repossessing collateral more  
2 difficult and expensive for banks in the event of default. An individual commented that vehicles that are  
3 unable to be registered will be uninsurable, which will increase risk to lenders of losing their collateral.  
4 TIADA and 16 individuals requested that the department amend §217.26(b) at adoption to create a  
5 grandfathering provision to allow people to renew registration for vehicles with existing registration  
6 without providing identification, so as to prevent the defaults and losses for lenders.

7 **Response:** The department disagrees. Under Transportation Code, §502.040, people who are not legally  
8 eligible to reside in Texas are not authorized to register vehicles as Texas residents. Dealers and lenders  
9 should perform sufficient due diligence to ensure they are doing business with people who are legally  
10 authorized to reside in Texas. Many of the financial concerns raised are not within the scope of the rule  
11 proposal. It is the responsibility of Texas businesses to appropriately manage their operations within the  
12 requirements of numerous local, state and federal regulations which do not always fully align in  
13 application or intent. However, to mitigate these concerns, the department has delayed the effective date  
14 of §217.28 and §217.29 to January 1, 2027. This delay will allow lenders and dealers more time to adapt  
15 their business processes to account for the application of revised personal identification requirements to  
16 registration renewals.

17 **Comment.** TACA, TUACA, the Webb County Tax Assessor-Collector, the Travis County Tax Assessor-  
18 Collector, El Paso County, State Senator Juan “Chuy” Hinojosa, State Representative Terry Canales, State  
19 Representative Christina Morales, and 59 individuals commented in opposition to the proposed  
20 amendments because the rule would significantly reduce state revenue, both from lost registration fees  
21 and lost sales tax revenue. The Webb County Tax Assessor-Collector estimated that 40%-60% of vehicle  
22 purchasers in Webb County will not meet the proposed new identification requirements, resulting in a  
23 reduction of between \$15.2 million and \$22.8 million in vehicle sales taxes. One individual commented

1 that if 40% of an estimated 1.58 million undocumented adults in Texas do not register vehicles, the state  
2 of Texas would lose \$1.8 billion annual in sales tax revenue. TACA, TUACA, Every Texan, El Paso County,  
3 State Senator Juan “Chuy” Hinojosa, and two individuals stated that the proposed changes would cause  
4 individuals to register in other states. One commenter noted a Texas Department of Transportation study  
5 prior to 2009 that found Texas was already losing as much as \$70 million per year in fees to neighboring  
6 states. A dealer commented that it expected sales tax and title fees from its dealership alone to be reduced  
7 by \$2 million per year; another estimated sales tax payments would decline \$1.2 million per year. One  
8 individual commented that the department does not have data on the number of vehicles registered with  
9 each type of permitted identification documents or the amount of tax collected annually based on those  
10 registrations with each type of identification document, and does not have data on how many vehicles  
11 dealers in Harris, Dallas, Tarrant, Bexar and Travis Counties have registered using driver’s licenses or  
12 foreign passports.

13 **Response.** The department disagrees. Based on data the department has recently identified, only 5.15%  
14 of registrants who completed initial registration and titling simultaneously used a passport as their form  
15 of identification. Those data are not broken down between the use of foreign passports and United States  
16 passports and do not show which foreign passports were supported by valid visas or permanent residence  
17 cards. Assuming that half of the passports used were United States passports, and that half of the foreign  
18 passports were supported by valid immigration documentation that would meet the requirements of the  
19 rule amendments, the department expects that the rule will impact approximately 1.29% of registered  
20 vehicles, or about 341,000 vehicles per year, resulting in a reduction in vehicle registration revenue to the  
21 state of approximately \$19.5 million per year, or 0.84%. The department expects a reduction in revenue  
22 to local government of \$1,731,578 per year statewide, or 0.36%.

1 **Comment.** The department received comments from 15 individuals in opposition to the proposed  
2 amendments because they felt that the rule was discriminatory and racially motivated. State  
3 Representative Vincent Perez commented that the proposed amendments suggest that the department  
4 is “willing to use routine government processes to signal exclusion, to remind certain Texans that their  
5 participation is conditional.” Two individuals stated that the proposed rules were unconstitutional  
6 because they violated equal protection. One individual commented that the proposed rules are immoral  
7 and the department should not join the wave of fascism sweeping the county.

8 **Response.** The department disagrees. The identification requirements apply equally to all persons,  
9 regardless of race or ethnicity.

10 **Comment.** One individual commented in opposition to the proposed amendments that required the  
11 department to request passports with visas for registration renewal because it was too much personal  
12 information.

13 **Response.** The department disagrees. The department has been charged with issuing vehicle registration  
14 to residents under Transportation Code, §502.040, which requires that the application for vehicle  
15 registration be accompanied by personal identification. The proposed rule amendments tighten the  
16 identification requirements to ensure that the identification presented for vehicle registration is valid and  
17 proves that the applicant for registration is legally eligible to reside in Texas.

18 **Comment.** TACA, the Travis County Tax Assessor-Collector, and one individual commented in opposition  
19 to the proposed amendments because the Texas by Texas online system requires a vehicle registrant to  
20 provide too much personal information when it makes a user provide a social security number and other  
21 personal information to create an account. TACA and the Travis County Tax Assessor-Collector believe  
22 that this will cause fewer people to renew online, leading to more mail-in and in-person registration  
23 renewals that will increase costs for tax offices.

1 **Response.** The department disagrees. This comment is outside the scope of this rulemaking. The  
2 department does not set the website account requirements for Texas by Texas, which is overseen by the  
3 Department of Information Resources. Individuals concerned by having to provide information required  
4 to use Texas by Texas have other vehicle registration options available to them.

5 **Comment.** Three individuals commented in opposition to the proposed amendments because the  
6 proposed new personal identification requirements could cause people to become victims of fraudulent  
7 schemes as they seek ways to get vehicle registration.

8 **Response.** The department disagrees. Fraud is a pervasive issue in modern society and a constant threat  
9 that everyone should remain vigilant against at all times. It is not isolated to or exacerbated by the specific  
10 types of identification the department requires for vehicle registration. Personal identification is regularly  
11 required by businesses, social media and entertainment platforms, nonprofit organizations, community  
12 groups, and numerous other entities.

13 **Comment.** The TxDPS and one individual commented in opposition to the proposed amendments because  
14 the amended rules would prevent people who had moved to Texas from other states from being able to  
15 register their vehicles, which would prevent them from being able to apply for a Texas driver's license.  
16 The TxDPS DL-14a form asks first-time applicants whether they have a motor vehicle that is required to  
17 be registered in Texas, based on the requirement under Transportation Code, §521.144 that a new  
18 resident of Texas must register his or her motor vehicles in Texas before applying for a Texas driver's  
19 license. TxDPS commented that this would result in more unlicensed drivers and unregistered vehicles.  
20 TxDPS also commented that the rule amendments would increase staff processing time requirements for  
21 TxDPS, leading to additional delays. TxDPS requested that the department allow applicants to present  
22 United States birth certificates as proof of citizenship for individuals that do not have a driver's license or  
23 identification certificate that meets the requirements of REAL ID.

1 **Response.** The department agrees. At adoption, changes to the proposed text allow applicants to provide  
2 a birth certificate in addition to a driver’s license or state identification card, if the license or state  
3 identification card does not comply with REAL ID.

4 **Comment.** TADA, WDAF, State Senator Juan “Chuy” Hinojosa, State Senator Molly Cook, State  
5 Representative Terry Canales, State Representative Christina Morales, the Travis County Tax Assessor-  
6 Collector, the Bexar County Tax Assessor-Collector, El Paso County, and 44 other individuals commented  
7 in opposition to the proposed amendments because the amended rules would make Texas roads more  
8 dangerous by reducing the number of insured drivers. The department received comments from 12  
9 individuals who estimated that the reduction in insured drivers could cost the remaining insured drivers  
10 in Texas more in higher insurance premiums and create instability in the insurance market; one  
11 commenter estimated a cost of \$1.5-3 billion per year in increased premiums. Another individual noted  
12 that when New Mexico restricted vehicle registration, it led to a spike in the number of uninsured drivers.  
13 An individual commenter estimated that the change in registration identification requirements would  
14 result in a \$1 billion loss for insurance companies. Another individual commenter stated that uninsured  
15 drivers are more likely to hit-and-run if they get into an accident, which will drive up repair costs for the  
16 other drivers they hit and for the companies that insure those drivers.

17 **Response.** The department disagrees. The department does not expect a significant impact on the number  
18 of uninsured drivers as a result of the proposed rules because the department’s data suggests that only  
19 1.29% of registrants, or approximately 341,000 individuals, are registering vehicles with foreign passports  
20 that would not meet the requirements of the proposed new rules.

21 **Comment.** The department received comments from 67 individuals in opposition to the proposed  
22 amendments because the amended rules would create a dangerous environment and decrease road  
23 safety.

1 **Response.** The department disagrees. The department does not expect that the proposed amendments  
2 will make Texas or its roads more dangerous. To the extent that these comments refer to uninsured  
3 drivers, the department does not expect a significant impact on the rate of insured drivers as a result of  
4 the proposed rules because the department’s data suggests that only 1.29% of registrants, or  
5 approximately 341,000 vehicles, are registering with foreign passports that would not meet the  
6 requirements of the proposed new rules.

7 **Comment.** TADA, TIADA, TACA, TUACA, El Paso County, State Senator Juan “Chuy” Hinojosa, State Senator  
8 Molly Cook, and 13 other individuals commented that the proposed rules would result in the government  
9 and law enforcement having less accurate, up-to-date information on vehicles and their owners. TADA  
10 and Senator Hinojosa commented that the inaccurate registration information could create problems for  
11 vehicle manufacturers in getting recall notices to the actual vehicle owners.

12 **Response.** The department disagrees. The department does not expect a significant impact on the  
13 accuracy of the vehicle information database, because the department’s data suggests that only 1.29% of  
14 registrants, or approximately 341,000 vehicles, are registering with foreign passports that would not meet  
15 the requirements of the proposed new rules. Personal vehicle ownership is not the only form of  
16 transportation available to Texans.

17 **Comment.** The department received comments from El Paso County, State Representative Christina  
18 Morales, WDAF, and 101 individuals in opposition to the proposed rule amendments because they would  
19 cause reduced economic productivity in Texas when workers are unable to get transportation. One  
20 individual stated that the proposed rules would “kill the Texas miracle.”

21 **Response.** The department disagrees. The department does not expect a significant impact on economic  
22 productivity, because the department’s data suggests that only 1.29% of registrants, or approximately

1 341,000 vehicles, are registering with foreign passports that would not meet the requirements of the  
2 proposed new rules. Personal vehicle ownership is not the only form of transportation available to Texans.

3 **Comment.** Six individuals commented in opposition to the proposed rule amendments, stating that Texas  
4 should introduce a limited-purpose driver’s license, similar to California’s AB60, to allow undocumented  
5 residents to obtain a state-issued ID with proof of residency and identity, required biometric background  
6 checks, and markings stating “driving privilege only” to distinguish it from other licenses. TxDMV could  
7 then use this special ID as the basis for vehicle registration.

8 **Response.** The department disagrees. This comment is outside the scope of both this rulemaking and the  
9 department’s rulemaking authority. The department does not have legal authority over driver’s license  
10 programs in Texas. The Department of Public Safety issues driver’s licenses.

11 **Comment.** Two individuals commented in opposition to the proposed amendments because limiting  
12 vehicle registration could result in issues for vehicle sellers when the purchaser of their vehicle does not  
13 register it, such as continuing toll charges.

14 **Response.** The department disagrees. The department works with customers and the toll authorities to  
15 identify vehicles that have been sold. Filing a vehicle transfer notice with the department protects a  
16 vehicle seller from incurring future toll charges, even if the new owner does not register it immediately.

17 **Comment.** Three individuals commented in opposition to the proposed rules because the change in  
18 registration requirements could lead to increased isolation among immigrant families, which could in turn  
19 lead to increased healthcare costs that one commenter estimated at \$1 billion in added healthcare  
20 spending for 632,000 impacted adults.

21 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
22 other forms of transportation.

1 **Comment.** Two individuals commented in opposition to the proposed amendments because if the  
2 changed identification requirements result in 632,000 households being unable to travel, it will result in  
3 similar spending reductions as experienced during COVID, resulting in sales tax losses from the decrease  
4 in spending.

5 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
6 other forms of transportation.

7 **Comment.** Two individuals commented in opposition to the proposed amendments because Arizona has  
8 instituted restrictions in vehicle registration, which led to Arizona losing sales tax, car dealer sales revenue,  
9 insurance stability, and consumer spending, while other surrounding states gained as Arizona residents  
10 registered their vehicles in other states. The commenter urged that Texas should not repeat this costly  
11 error.

12 **Response.** The department disagrees. The experiences of other states in this area are not necessarily  
13 directly relevant to the structures and operations in place in Texas. It is important that the identity  
14 documents for vehicle registration be valid so that people who are not legally eligible to reside in Texas  
15 are not allowed to register vehicles as Texas residents. The department does not expect a significant  
16 impact on sales tax, car dealer sales revenue, insurance stability, and consumer spending, because the  
17 department's data suggests that only 1.29% of registrants, or approximately 341,000 vehicles, are  
18 registering vehicles with foreign passports that would not meet the requirements of the rules.

19 **Comment.** One individual commented in opposition to the proposed amendments, without further  
20 elaboration.

21 **Response.** The department disagrees. It is important that the identity documents for vehicle registration  
22 be valid, so that people who are not legally eligible to reside in Texas are not allowed to register vehicles  
23 as Texas residents.

1 **Comment.** Two individuals commented in opposition to the proposed amendments because insurance  
2 companies are willing to insure motorists on the basis of foreign passports without visa or immigration  
3 documentation, so the rules would create a disparity between the requirements for insurance and the  
4 requirements for vehicle registration.

5 **Response.** The department agrees that there is a difference between insurance requirements and  
6 registration requirements. However, the business practices of insurance companies are not equivalent to  
7 the policy considerations of state government. The department disagrees with the commenters that the  
8 proposed rules should not be adopted because it is important that the identity documents for vehicle  
9 registration be valid, so that people who are not legally eligible to reside in Texas are not allowed to  
10 register vehicles as Texas residents.

11 **Comment.** One individual commented in opposition to the proposed amendments because Texas issues  
12 limited-term driver's licenses to immigrants with lawful presence that expire when the lawful presence  
13 ends, and that all professional licenses issued by the state to immigrants should similarly be termed to  
14 end when the immigrant's lawful presence ends.

15 **Response.** The department disagrees. This comment is outside the scope of this rulemaking and beyond  
16 the scope of the department's jurisdiction.

17 **Comment.** AARPTexas and four individuals commented in opposition to the proposed amendments,  
18 requesting that the proposed amendments be changed at adoption to allow a non-owner who has  
19 possession or control of a vehicle with the owner's permission to register the vehicle, and noted that this  
20 is allowed in other states.

21 **Response.** The department disagrees. Transportation Code, §502.001(31) defines "owner" for purposes  
22 of vehicle registration under §502.040 to include not only the person who holds the legal title to the  
23 vehicle, but also any person that has "the legal right of possession of a vehicle" or "the legal right of control

1 of the vehicle.” The department already allows owners to designate other people with legal rights of  
2 control or possession of the vehicle to register it. The proposed rules would not impact the definition of  
3 “owner” or the process for registration by people with legal rights of possession or control over a vehicle.

4 **Comment.** The department received comments from 82 individuals in opposition to the proposed  
5 amendments, stating that the proposed rules would prevent children from getting to school if their  
6 parents were unable to register their cars.

7 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
8 other forms of transportation, including bus services offered by public school districts.

9 **Comment.** IBAT, the Texas Bankers Association, the Texas Credit Union Association, TCUC, TIADA, the  
10 Travis County Tax Assessor-Collector, and 14 individuals commented in opposition to the proposed  
11 amendments, with concern that there had been insufficient opportunity for public input on the rules due  
12 to department’s implementation of the new identification document policies through guidance to the tax  
13 assessor-collectors and dealers and by proposing a rule without a board meeting. The commenters  
14 requested that the department rescind its guidance until the rulemaking process is complete. An  
15 individual commented that the “democratically elected lawmakers” should be involved in a change of this  
16 magnitude involving private property. Another individual noted that the fast implementation had led to  
17 consumer confusion about identification requirements, and a reduction in consumer confidence with  
18 respect to car buying.

19 **Response.** The department disagrees. The department has provided the notice and opportunity for  
20 comment required by Texas Government Code, Chapter 2001, including a public hearing on January 21,  
21 2026, to receive additional public comment and an open meeting on February 11, 2026, where the  
22 department’s board will consider adoption of the proposed amendment. To propose the rule for public

1 comment without holding a board meeting, the department relied on authority under Transportation  
2 Code §§502.0021, 502.040, and 502.043 that is vested in the department rather than the TxDMV board.

3 **Comment.** Three individuals commented in opposition to the proposed amendments because they would  
4 impact the Hispanic community that pays taxes, has car insurance, and complies with the law, but would  
5 not address undocumented immigrants driving without license plates, insurance or valid registration.

6 **Response.** The department disagrees. The identification requirements apply equally to all persons.  
7 Individuals who refuse to abide by the law are subject to criminal penalties as enforced by state and local  
8 law enforcement agencies.

9 **Comment.** TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, and two individuals commented  
10 that the federal government does not stamp passports and instead uses Form I-94.

11 **Response.** The department agrees. At adoption, additional amendments to the proposed rule language  
12 remove the stamp requirement and allow an applicant for vehicle registration to use a valid Form I-94  
13 that is not Parole status, accompanied by a valid foreign passport.

14 **Comment.** IBAT, TACA, TIADA, TUACA, TxDPS, El Paso County, State Senator Juan “Chuy” Hinojosa, and  
15 23 other individuals commented in opposition to the proposed amendments because the change in  
16 identification requirements would cause people who need to register vehicles but do not have acceptable  
17 identification to resort to illegal solutions, such as falsifying driver’s license applications, paying third  
18 parties to register vehicles in someone else’s name, or creating fraudulent registration stickers.

19 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
20 other forms of transportation. Fraud and other criminal activity are constant threats, regardless of which  
21 specific identification documents the department requires. Individuals who refuse to abide by the law are  
22 subject to criminal penalties as enforced by state and local law enforcement agencies.

1 **Comment.** One individual commented in opposition to the proposed amendments because the defined  
2 term “current photo identification” in §217.22(11), which allows photo identification that has been  
3 expired for not more than 12 months, conflicts with the requirements of the proposed new definition of  
4 “valid passport” and of the proposed amendments to §217.26(b), which require that the identification  
5 documents be unexpired. The commenter requests that §217.22(11) be amended to require a current  
6 photo identification to be unexpired.

7 **Response.** The department disagrees. The defined term “current photo identification” is not used in  
8 proposed amended §217.26(b), though it is used in proposed amended §217.26(a). This distinction is  
9 intentional, to allow leeway in expiration for the commercial, industrial and governmental registration  
10 types that fall under proposed amended §217.26(a), for which identity fraud is more difficult and less  
11 common, while tightening the identification requirements for the registrations for individual Texas  
12 residents that fall under proposed amended §217.26(b).

13 **Comment.** AARPTexas, TACA, TIADA, TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, TCUC,  
14 State Senator Juan “Chuy” Hinojosa, State Representative Christina Morales, the Travis County Tax  
15 Assessor-Collector, El Paso County, and three other individuals commented in opposition to the proposed  
16 amendments because applicants renewing their vehicle registration by mail or over the internet should  
17 not have to provide proof of unexpired identification, because it will create a risk of identity theft and  
18 fraud. TACA, TCUC, and Representative Morales commented that the requirement to provide a copy of  
19 identification will disproportionately impact out-of-state military members, the elderly, and the disabled,  
20 who may have difficulty getting access to a copier to make copy of their identification. TCUC requested  
21 that the department create a secure, centralized system to store identification information, to remove  
22 from the counties the risk of that information being compromised, and commented that the requirement

1 to mail a copy of identification will cause more people to visit the county tax offices in person, raising  
2 costs for the counties.

3 **Response.** The department disagrees. Proposed amended §217.28 allows a registrant to provide  
4 information necessary to verify that the vehicle owner has an identification document that meets the  
5 requirements of proposed amended §217.26, as an alternative to providing the identification documents  
6 themselves. Personal identification is regularly required by businesses, social media and entertainment  
7 platforms, nonprofit organizations, community groups, and numerous other entities as a routine part of  
8 operations. However, the department has delayed the effective date of §217.28 and §217.29 to January  
9 1, 2027. This delay will allow time for the department and tax assessor-collectors to improve systems and  
10 processes to allow for quick and efficient registration renewal with automated identification verification  
11 methods that mitigate the risk of fraud and identity theft.

12 **Comment.** One individual commented in opposition to the proposed amendments because law  
13 enforcement does not pursue violations of expired registration, and that the Texas Legislature should  
14 establish enforceable and harsh laws to address expired registration violators.

15 **Response.** The department disagrees. This comment is outside the scope of the department's rulemaking,  
16 and outside the department's jurisdiction.

17 **Comment.** One individual commented in opposition to the proposed amendments because the proposed  
18 rule amendments will make it more difficult for women and transgender individuals to vote.

19 **Response.** The department disagrees. The amendments in this rulemaking address identification  
20 requirements for vehicle registration, not voter registration. The department does not have jurisdiction  
21 over voter registration policies or operations in Texas.

1 **Comment.** Five individuals commented in opposition to the proposed amendments because immigration  
2 is a federal issue that is not within the department’s jurisdiction and should be left to the federal  
3 government to address.

4 **Response.** The department disagrees. It is the department’s responsibility and within the department’s  
5 jurisdiction to ensure that individuals registering vehicles as Texas residents under Transportation Code  
6 §502.040 are who they say they are and have a legal right to reside in Texas.

7 **Comment.** The department received comments from 12 individuals in support of the proposed rule  
8 amendments.

9 **Response.** The department agrees.

10 **Comment.** TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, State Senator Juan “Chuy”  
11 Hinojosa, State Representative Vincent Perez, and one other individual commented in opposition to the  
12 proposed rules because the current list of identity documents required for vehicle registration under  
13 unamended §217.26(a) is sufficient to verify a buyer’s identity and are appropriate for titling and  
14 registration for both Texas residents and for non-residents, because the state’s primary interests in titling  
15 and registration of vehicles is the prevention of theft and the importation of stolen vehicles, and the  
16 perfection of the vehicle’s security interests.

17 **Response.** The department disagrees. Titling and registration identification requirements are not  
18 identical. While the goals of vehicle titling may be those identified by the commenters, vehicle registration  
19 confers on a Texas resident the privilege of driving on Texas roads and should be limited to lawful Texas  
20 residents. The proposed amendments do not alter the identification requirements for titling purposes.

21 **Comment.** TIADA, TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, TACA, and TCUC  
22 commented in opposition to the proposed rules because there is no need to provide previously provided  
23 identification documents at registration renewal.

1 **Response.** The department disagrees. There is a need to ensure that those who registered vehicles prior  
2 to the implementation of the new identification requirements comply with the new enhanced  
3 requirements at renewal. Additionally, the department has a need to verify that the identification  
4 document is valid throughout the registration period and that the individual’s status as a lawful Texas  
5 resident has not changed.

6 **Comment.** TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, State Senator Juan “Chuy”  
7 Hinojosa, and 17 individuals commented in opposition to the proposed rules because dealers are not able  
8 to verify the validity of a passport, immigration documentation, driver’s license, state identification  
9 certificate, or concealed handgun license. Four individuals noted that if a dealer incorrectly evaluates the  
10 validity of a client’s identification and it later turns out that the identification was invalid or fraudulent,  
11 the dealer would have to bear the burdens of retrieving vehicles from buyers, refunding fees and  
12 payments, negotiating with lenders about returning payments to the lender and titles to the dealer,  
13 negotiating with manufacturers regarding rebates, voiding plate assignments, getting bonded titles if the  
14 evidence of ownership had been stamped “surrendered,” and defending themselves from allegations that  
15 they violated state law by failing to transfer ownership timely. The individual stated that dealers would  
16 be tempted to engage in illegal actions, such as processing sales to Texas residents as “out of state” to  
17 avoid registration requirements and not collecting sales taxes on those sales, which would leave the dealer  
18 open to legal liability or disciplinary action on their license by the department.

19 **Response.** The department disagrees. The state understands that dealers processing vehicle registration  
20 transactions are not experts in identifying fraudulent or counterfeit documents. Identifying professionally  
21 counterfeited documents is the purview of law enforcement; the standard for daily government  
22 transactions has always been a good faith, common sense effort. Workers who deal with these documents  
23 on a daily basis develop a sense for how they look and feel. If issues are identified in the future, the

1 department will work with the county or dealer to identify correctable errors in process and educate their  
2 staff on how to improve their processes to comply with state regulations.

3 **Comment.** AARPTexas, TACA, TIADA, TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, and NTXAD  
4 and nine individuals commented in opposition to the proposed rules because the department should not  
5 require the driver’s license or state identification certificate to comply with REAL ID. The commenters  
6 noted that other entities, such as TSA, accept other forms of identification. TIADA, AARPTexas, and three  
7 individuals commented that many people who are legally present in the United States, including United  
8 States citizens, have driver’s licenses and identification cards that are not REAL ID-compliant. Another  
9 individual noted that the banking, insurance or healthcare industries are not requiring REAL ID, so the  
10 proposed rules would create a disproportionate impact on the automotive financing industry. TIADA  
11 commented that the REAL ID requirement could result in people registering vehicles in states other than  
12 Texas. One dealer noted that 5% of its customers who completed a purchase did not have REAL ID-  
13 compliant identification despite being United States citizens and requested that the proposed rules be  
14 amended at adoption to allow a person with state identification document that does not comply with  
15 REAL ID to present their valid social security number along with the state identification.

16 **Response.** The department agrees. At adoption, additional amendments added the following  
17 identification documents for vehicle registration: (1) a driver’s license or state-issued identification  
18 certificate that does not comply with the requirements of REAL ID if it was issued by a state that requires  
19 proof of legal presence, and (2) a United States birth certificate, United States Certificate of Naturalization  
20 (N-550 or N-570), or a United States Certificate of Citizenship (N-560 or N-561) accompanied by a driver’s  
21 license or identification certificate issued to by a state that does not require proof of legal presence for  
22 identification issuance.

1 **Comment.** State Senator Juan “Chuy” Hinojosa, State Senator Molly Cook, State Representative Terry  
2 Canales, State Representative Vincent Perez, and 12 other commenters opposed the proposed  
3 amendments because owning a vehicle in Texas is a necessity to get to work, school, medical  
4 appointments, or to participate in daily life. One commenter stated that preventing immigrants from  
5 registering vehicles was akin to preventing immigrants from purchasing food or shelter, because people  
6 need transportation to survive.

7 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
8 other forms of transportation.

9 **Comment.** TUACA, WDAF, State Representative Terry Canales, State Representative Christina Morales,  
10 the Bexar County Tax Assessor-Collector, El Paso County, and 12 individuals commented in opposition to  
11 the proposed amendments because the increased documentation requirements in the proposed rule  
12 amendments would reduce registration compliance and result in more unregistered vehicles on Texas  
13 roads.

14 **Response.** The department disagrees. Under the proposed amendments, all Texas residents are still  
15 required by statute to register their vehicles and are still subject to being pulled over and cited by law  
16 enforcement if they fail to register a vehicle.

17 **Comment.** Two individuals commented in opposition to the proposed amendments because the proposed  
18 identification requirements may increase administrative and enforcement burdens on both the  
19 department and law enforcement.

20 **Response.** The department disagrees. The rules prior to the proposed amendments required  
21 identification to register a vehicle, and law enforcement already enforces penalties for expired  
22 registrations.

1 **Comment.** The department received comments from 17 individuals in opposition to the proposed  
2 amendments because dealers should not be in the position of evaluating a customer’s immigration status.

3 **Response.** The department disagrees. Dealers have a statutory obligation under Transportation Code,  
4 §520.0055 to submit a title and registration application in the name of the vehicle purchaser, so dealers  
5 must ensure that their customers can fulfill the application requirements for vehicle registration.

6 **Comment.** Two individuals commented in opposition to the proposed rules, requesting that the  
7 department limit the new identification requirements only to new registrations, and not require  
8 identification at renewal because the department has not historically required identification for  
9 registration renewal.

10 **Response.** The department disagrees. Allowing registration renewal without identification would enable  
11 unqualified persons and identity fraudsters who have registered vehicles under the previous identification  
12 requirements to continue registering their vehicles.

13 **Comment.** One individual commented in opposition to the proposed rules because immigration status  
14 does not make a person into a more dangerous driver.

15 **Response.** The department agrees that being an immigrant does not make a person a dangerous driver.  
16 However, the proposed rules are not based on the dangerousness of drivers, but instead on insuring that  
17 the vehicle registrants have a legal right to reside in Texas and are presenting valid identification. The  
18 department disagrees that the proposed rules, as amended, should not be adopted.

19 **Comment.** One individual commented in support of the proposed rules and stated that resistance to the  
20 proposed rules from dealers comes primarily from dealers who rely on questionable business and sales  
21 practices.

1 **Response.** The department agrees that the proposed rules should be adopted. The department does not  
2 have any evidence to question categorically the business practices of dealers making public comments in  
3 opposition to the proposed rules.

4 **Comment.** One individual commented support of the proposed rule because while unsafe driving is not  
5 limited to illegal immigrants, they are more likely to have difficulty obtaining insurance, are more likely to  
6 leave the scene of an accident, and more likely to drive without a license.

7 **Response.** The department agrees that the amendments should be adopted. The department does not  
8 have any data to suggest that immigrants are more likely to have difficulty obtaining insurance, are more  
9 likely to leave the scene of an accident or are more likely to drive without a license.

10 **Comment.** Four individuals commented in opposition to the proposed rules because the proposed rule  
11 amendments would create more traffic stops and escalate conflicts between law enforcement and the  
12 public. One individual commented that the proposed rules would give cover to racial profiling by law  
13 enforcement in traffic stops.

14 **Response.** The department disagrees. Law enforcement already enforces penalties for expired  
15 registrations. The department is not aware of any data that suggests the proposed amendments would  
16 lead to an increase in traffic stops.

17 **Comment.** Three individuals commented in opposition to the proposed amendments, and requested that  
18 the department amend the proposed rule at adoption to allow foreign passports accompanied by valid I-  
19 94 documents as identification for vehicle registration, so that Canadian “winter Texans” would be able  
20 to register vehicles.

21 **Response.** The department agrees. Amendments at adoption to §217.22(46) allow an applicant for  
22 registrant to use a foreign passport with a valid I-94 that does not indicate Parole status.

1 **Comment.** TIADA, the Travis County Tax Assessor-Collector, State Senator Juan “Chuy” Hinojosa, State  
2 Representative Christina Morales, and two other individuals commented in opposition to the proposed  
3 amendments because requiring tax assessor-collectors to review mailed-in identification documents for  
4 registration renewal is an unfunded mandate that county offices will have to fulfill using limited staff and  
5 budgets.

6 **Response.** The department disagrees. County funding and budget decisions are local determinations  
7 outside the scope of this rule proposal. However, the department has delayed the effective date of  
8 §217.28 and §217.29 to January 1, 2027, to allow the department and tax assessor-collectors time to  
9 improve systems and processes to allow for quick and efficient registration renewal with automated  
10 identification verification methods that mitigate the risk of fraud and identity theft.

11 **Comment.** TACA, TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, TIADA, Every Texan,  
12 TCUC, the Bexar County Tax Assessor-Collector, State Representative Christina Morales, and one  
13 individual commented in opposition to the proposed amendments because county tax office staff cannot  
14 verify personal identification documents from photocopies, and that the rule should specify the means of  
15 verification for consistent outcomes across counties. The commenters stated that county staff are not  
16 trained and have no expertise in identifying fraudulent documents, which will create an avenue for fraud  
17 by individuals presenting fake identification documents and will create inconsistency between how  
18 counties determine document validity. One commenter stated that requiring county staff to determine  
19 whether identification documents are valid will increase wait time in tax offices and decrease efficiency.  
20 TADA, HADA, NCDWT, SAADA, EPNCDA, VADA, AADA, NTXAD, and TCUC requested that only law  
21 enforcement be responsible for determining the validity of personal identification documents. TACA and  
22 TCUC requested that an automated means of verification be built into the department’s Registration and  
23 Titling System as the department has done for insurance and inspections. One individual commenter

1 requested that the department publish training for counties on how to determine whether personal  
2 identification documents meet the requirements of the amended rules, and should specify for online  
3 renewals what data elements are required to verify identification, how the county verifies those elements,  
4 what documents must be uploaded, document retention and information security standards, and  
5 alternate pathways for those who are unable to renew online.

6 **Response.** The department disagrees. The state understands that county employees processing vehicle  
7 registration transactions are not experts in identifying fraudulent or counterfeit documents. Identifying  
8 professionally counterfeited documents is the purview of law enforcement; the standard for daily  
9 government transactions has always been a good faith, common sense effort. Workers who deal with  
10 these documents on a daily basis develop a sense for how they look and feel. If issues are identified in the  
11 future, the department will work with the county or dealer to identify correctable errors in process and  
12 educate their staff on how to improve their processes to comply with state regulations. Additionally,  
13 proposed amended §217.28 allows a registrant to provide information necessary to verify that the vehicle  
14 owner has an identification document that meets the requirements of proposed amended §217.26, as an  
15 alternative to providing the identification documents themselves. Individuals who are unable or unwilling  
16 to send the documents necessary for registration or renewal by mail or online can bring their registration  
17 applications to county tax assessor-collectors in person for processing.

18 **Comment.** TIADA and two individuals commented in opposition to the proposed amendments, requesting  
19 a more thorough fiscal and economic impact analysis that accounts for reduced registration renewal rates,  
20 fiscal impact on counties, collateral impairment for lenders on vehicles owned by people who can no  
21 longer register them, and reduced registration and titling in Texas by people who do not have REAL ID.  
22 One individual requested an economic impact analysis to assess the impacts of the proposed rules on  
23 border-region employment and financial institutions. Another individual requested that the department

1 conduct a study of the potential impact of the proposed amendments on property ownership and revisit  
2 its analysis of the economic impact on small and micro-businesses, rural communities, and the overall  
3 economy.

4 **Response.** The department disagrees. The department’s data suggests that only 1.29% of registrants are  
5 registering vehicles with foreign passports that may not meet the requirements of the proposed new  
6 rules. The costs to comply with the proposed rules are at most \$165 to attain a United States passport,  
7 and less to obtain a state identification document. The department therefore believes the proposed rules  
8 will not have a material impact on any single entity or system affected by the change.

9 **Comment.** WDAF and eight individuals commented in opposition to the proposed amendments because  
10 the proposed rules would create unnecessary stress, fear, and financial strain for families who are already  
11 navigating economic uncertainty, and make it more difficult for these people to work and care for their  
12 families.

13 **Response.** The department disagrees. The costs to comply with the proposed rules are at most \$165 to  
14 attain a United States passport, and less to obtain a state identification document. Under Transportation  
15 Code, §502.040, people who are not legally eligible to reside in Texas are not authorized to register  
16 vehicles as Texas residents.

17 **Comment.** State Representative Christina Morales and two other individuals commented that the  
18 proposed rules would prevent Texans from having vehicles to attend to their medical needs.

19 **Response.** The department disagrees. Individuals that are unable to register vehicles are still able to use  
20 other forms of transportation, including emergency transportation services.

21 **Comment.** TACA, TCUC, the Travis County Tax Assessor-Collector, the Bexar County Tax Assessor-  
22 Collector, El Paso County, and one individual commented in opposition to the proposed amendments  
23 because requiring people who renew their registration by mail to send in identification documents will

1 cause counties to incur additional costs. The commenters noted that counties will have to pay for costs to  
2 return the renewal paperwork to the applicant by mail if an applicant does not include adequate  
3 identification documents. The commenters stated that the counties' reimbursement of \$2.30 per  
4 registration renewal is already not sufficient to cover the actual cost of processing registrations, and will  
5 be further diminished by these increased costs associated with identification requirements at renewal.  
6 TCUC stated that these increased costs could lead to an increase in property taxes to cover the costs.  
7 Additionally, both TACA and State Senator Juan "Chuy" Hinojosa commented in opposition to the  
8 proposed amendments because counties will not be able to use their Rapid Processing Systems efficiently,  
9 because the applicant's identification information will have to be input manually, creating a large increase  
10 in employee work time for renewal processing.

11 **Response.** The department disagrees. Proposed amended §217.28 allows a registrant to provide  
12 information necessary to verify that the vehicle owner has an identification document that meets the  
13 requirements of proposed amended §217.26, as an alternative to providing the identification documents  
14 themselves. The department will work with the tax assessor-collectors to revise the registration renewal  
15 letters to ensure that the identification requirements are clear so as to avoid returned mail. To further  
16 mitigate the tax assessor-collectors' concerns, the department has delayed the effective date of §217.28  
17 and §217.29 to January 1, 2027. This delay will allow time for the department and tax assessor-collectors  
18 to improve systems and processes to allow for quick and efficient registration renewal with automated  
19 identification verification methods that mitigate the risk of fraud and identity theft.

20 **Comment.** AARPTexas and five individuals commented in opposition to the proposed amendments  
21 because the difficulty and delay currently involved in getting driver's license appointments with TxDPS  
22 will cause people to be unable to register their vehicles through no fault of their own.

1 **Response.** The department disagrees. Every driver in Texas has a legal obligation to keep their driver's  
2 license or state identification certificate valid. The department does not have jurisdiction over driver's  
3 license programs, which are administered by TxDPS.

4 **Comment.** The Webb County Tax Assessor-Collector commented in opposition to the proposed  
5 amendments because they would restrict or limit the ability of vehicle owners to secure proper title and  
6 registration for their vehicles.

7 **Response.** The department disagrees. The amendments do not impact the identification requirements for  
8 vehicle titling. For vehicle registration, the amendments only restrict vehicle owners' access to vehicle  
9 registration as appropriate to ensure that the owner's identity can be confirmed and that people who are  
10 not legally eligible to reside in Texas are not allowed to register vehicles as Texas residents.

11 **Comment.** Three individuals commented in opposition to the proposed rules, and requested that the  
12 department should accept more types of personal identification documents, including foreign passports,  
13 consular IDs, ITIN documentation, and other secure forms of identification. The Webb County Tax  
14 Assessor-Collector commented that tax assessor-collectors should have authority to accept foreign  
15 passports if they are accompanied by a government employee identification issued by the United States  
16 Government.

17 **Response.** The department disagrees. These forms of identification are not sufficient to provide proof  
18 that a person is legally eligible to reside in Texas.

19 **Comment.** One individual commented in opposition to the proposed amendments and requested that  
20 implementation of the new identification requirements be delayed in border regions.

21 **Response.** The department disagrees. People who are not legally eligible to reside in Texas should not be  
22 allowed to register vehicles as Texas residents, regardless of where they live in Texas.

1 **Comment.** One individual commented in opposition to the proposed amendments and requested that  
2 the department provide materials and assistance in Spanish.

3 **Response.** The department agrees that Spanish translations are helpful and provides Spanish translations  
4 of many communications, materials and trainings when necessary to properly communicate information  
5 consistently throughout the state. The department disagrees that the proposed rules should not be  
6 adopted.

7 **Comment.** One individual commented in opposition to the proposed amendments because the  
8 department should charge a higher fee to issue registration for individuals with foreign passports, expired  
9 driver’s licenses or other forms of identification, and use the funds for Texas roads, establishing a fraud  
10 division within the department, to target fraudulent online vehicle sales, or to develop a database with  
11 vehicle identification data.

12 **Response.** The department disagrees. People who cannot prove their identity through verifiable  
13 documents or are not legally eligible to reside in Texas should not be allowed to register vehicles in Texas,  
14 no matter how much they are willing to pay.

15 **Comment.** Texas State Representative Armando Walle, State Representative Christina Morales, the Travis  
16 County Tax Assessor-Collector, the Dallas County Tax Assessor-Collector, TACA, TUACA, and three  
17 individuals commented in opposition to the proposed rules and requested that the department withdraw  
18 the proposed identification requirements until after the upcoming 90th Legislative Session.

19 **Response.** The department disagrees. Under Transportation Code, §502.040, people who are not legally  
20 eligible to reside in Texas should not be allowed to register vehicles as Texas residents. Knowing that there  
21 are potential issues with the existing process, the department must take action to prevent people from  
22 registering their vehicles if they are not legally eligible to reside in Texas in accordance with state law. The  
23 department will implement any changes to law the legislature chooses to enact during a future session.

1 **Comment.** One individual commented in opposition to the proposed rules because Florida has  
2 implemented similar identification documentation requirements, but that it only resulted in operational  
3 gridlock in the form of widespread transaction delays, dealer backlogs, confusion among tax collectors,  
4 and post-implementation revisions to the rules. The commenter stated that Florida’s experience  
5 demonstrates that rigid identification requirements disproportionately affect lawful consumers and small  
6 businesses without meaningfully improving enforcement outcomes.

7 **Response.** The department disagrees. The experiences of other states in this area are not necessarily  
8 directly relevant to the structures and operations in place in Texas. However, in response to stakeholder  
9 feedback, amendments at adoption to §217.26(b) allow more types of identification documentation for  
10 vehicle registration. People who cannot prove their identity through verifiable documents or are not  
11 legally eligible to reside in Texas should not be allowed to register vehicles in Texas, even if the new  
12 identification requirements make the registration process less efficient.

13 **Comment.** One individual commented in opposition to the proposed amendments because the cost of  
14 obtaining a REAL ID-compliant identification for those that do not have one would be an additional tax on  
15 top of the registration fees. Another commenter stated that the costs to obtain a REAL ID-compliant  
16 identification include lost work time required to visit TxDPS offices, lost transportation, costs of expired  
17 registration, and costs to repeatedly visit county offices due to inconsistent interpretation.

18 **Response.** The department disagrees. Amendments at adoption to §217.26(b) provide alternatives to a  
19 REAL ID, including any driver’s license or state identification certificate from a state that verifies legal  
20 presence to issue identification, and a driver’s license or state identification card accompanied by a United  
21 States birth certificate, United States Certificate of Naturalization (N-550 or N-570), or a United States  
22 Certificate of Citizenship (N-560 or N-561). These amendments will allow more people to use their current  
23 identification documents without any cost to attain new or additional documents. The costs to acquire an

1 identification allowed under the amended rules are offset by the need to prevent people who cannot  
2 prove their identity through verifiable documents or are not legally eligible to reside in Texas from  
3 registering vehicles in Texas.

4 **Comment.** Two individuals commented in opposition to the proposed amendments because law  
5 enforcement could use automated license plate readers to identify every vehicle without registration to  
6 charge legal residents with unregistered vehicle fees and fines, which could cause economically  
7 disadvantaged people to struggle financially.

8 **Response.** The department disagrees. The department does not have jurisdiction over law enforcement,  
9 its use of license plate readers, or the imposition of criminal penalties. Law enforcement already enforces  
10 penalties against unregistered vehicles, regardless of the proposed rule amendments.

11 **Comment.** One individual commented in opposition to the proposed amendments, and noted that  
12 proposed §217.26(c) states that if a motor vehicle is titled in more than one name, only one of the named  
13 owners must show identification for registration. The commenter asked that the department confirm that  
14 this applies to registration renewal.

15 **Response.** The department agrees that under the proposed amendments to §217.26(c), §217.28, and  
16 §217.29, only one owner of a car titled to multiple people must provide identification for registration,  
17 whether at initial application or upon renewal. The department disagrees that the proposed rules should  
18 not be adopted.

19 **Comment.** TACA commented in opposition to the proposed rules because under the proposed  
20 amendments, government- and business-owned vehicles will no longer be able to renew vehicle  
21 registrations online, which TACA believes will increase traffic into county tax offices.

22 **Response.** The department agrees. Amendments at adoption to §217.29 exempt from the requirement  
23 to show personal identification at renewal commercial vehicle registrations, rental trailer registrations,

1 registrations of vehicles with forestry license plates, registrations of commercial fleet vehicles under  
2 Transportation Code, §502.0023, and registrations of trailers under Transportation Code, §502.0024.  
3 Amendments at adoption also create exceptions for apportioned registration under the International  
4 Registration Plan, exempt vehicles, and off-highway vehicles owned by states, counties or municipalities.  
5 These amendments allow the government- and business-owned vehicles described above to use the  
6 department’s existing online systems to renew vehicle registration without having to show identification  
7 at renewal. Additionally, the department has delayed the effective date of §217.28 and §217.29 to January  
8 1, 2027, to allow the department and tax assessor-collectors time to improve systems and processes to  
9 allow for quick and efficient registration renewal.

10 **Comment.** The Webb County Tax Assessor-Collector commented in opposition to the proposed rules,  
11 stating that the proposed rule changes amounted to a governmental taking without due process.

12 **Response.** The department disagrees. The proposed changes have not altered any of the rules regarding  
13 vehicle titling, so people can still own and sell vehicles by acquiring title or transferring title to vehicles  
14 without any change to the required personal identification for those transactions. Moreover, the  
15 registration requirements do not prevent Texas residents from registering their vehicles, so long as they  
16 are legally authorized to live in Texas. Individuals who are not legally authorized to live in Texas will still  
17 be able to own and export vehicles without any changes.

18 **Comment.** Texas State Representative Vincent Perez, the Travis County Tax Assessor-Collector, TADA, and  
19 two individuals commented in opposition to the proposed rules because the department had  
20 misinterpreted Transportation Code, §502.040, which only uses the word “resident” and not “legal  
21 resident,” and therefore had exceeded its statutory authority.

22 **Response.** The department disagrees. The department has the authority to determine by rule the  
23 personal identification required for vehicle registration under Transportation Code, §502.040, the

1 authority to make rules to prescribe the required information that an applicant for vehicle registration  
2 must submit, including current personal identification as determined by the department in rule under  
3 Transportation Code, §502.043, and the authority under Transportation Code, §502.0021 to adopt any  
4 rules necessary to administer Transportation Code, Chapter 502.

5 **Comment.** Texas State Representative Vincent Perez, the Bexar County Tax Assessor-Collector, and one  
6 individual commented in opposition to the proposed rules because while the department says the rule  
7 amendments are necessary to address fraud, it has not shown any data to show significant levels of fraud  
8 or to support the assumption that people who are not legally present in Texas are more likely to commit  
9 fraud. The commenters stated that rulemaking should be based on data, not assumptions.

10 **Response.** The department disagrees that the rulemaking is intended to address fraud by undocumented  
11 immigrants. Instead, the rulemaking is intended to prevent people who are not legally present in Texas  
12 from registering vehicles in Texas as Texas residents, and separately, to address the potential for fraud  
13 caused by expired or unsubstantiated personal identification documents.

14 **Comment.** One individual commented in opposition to the proposed rules because farm equipment  
15 should not be subject to the proposed new personal identification requirements.

16 **Response.** The department agrees. An amendment at adoption exempts vehicle registrations under  
17 Transportation Code, §502.146 (Certain Farm Vehicles and Drilling and Construction Equipment) from the  
18 new personal identification requirements under adopted amended §217.26(b), so that those registrants  
19 only have to provide one of the types of identification listed in adopted amended §217.26(a).

20 **Comment:** One individual commented in opposition to the proposed rules because undocumented  
21 immigrants are not criminals.

22 **Response:** The department disagrees. This rulemaking is not intended to address crime by undocumented  
23 immigrants. Instead, the rulemaking is intended to prevent people who are not legally present in Texas

1 from registering vehicles in Texas as Texas residents, and separately, to address the potential for fraud  
2 caused by expired or unsubstantiated personal identification documents.

3

4

**SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

5

**43 TAC §§217.22, 217.26, 217.28 AND 217.29**

6 **STATUTORY AUTHORITY.** The Texas Department of Motor Vehicles (department) adopts amendments to  
7 §§217.22, 217.26, 217.28 and 217.29 under Transportation Code, §502.0021, which gives the department  
8 the authority to adopt rules to administer Transportation Code, Chapter 502; Transportation Code,  
9 §502.040, which gives the department authority to determine by rule the personal identification required  
10 for vehicle registration under that section; Transportation Code, §502.043, which gives the department  
11 authority to make rules to prescribe the manner and required information for an application for vehicle  
12 registration and to require an applicant for registration to provide current personal identification;  
13 Transportation Code, §504.0011, which authorizes the Board of the Texas Department of Motor Vehicles  
14 (board) to adopt rules to implement and administer Transportation Code, Chapter 504; Transportation  
15 Code, §551.302, which authorizes the department to adopt rules relating to the registration and issuance  
16 of license plates to neighborhood electric vehicles; Transportation Code, §1002.001, which authorizes the  
17 board to adopt rules that are necessary and appropriate to implement the powers and the duties of the  
18 department; and the statutory authority referenced throughout the preamble and in the rule text, which  
19 is incorporated herein by reference.

20 **CROSS REFERENCE TO STATUTE.** Transportation Code, §551.302 and Chapters 502, 504 and 1002;  
21 Business and Commerce Code, Chapter 507.

22

23 TEXT.

1 §217.22. Definitions.

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

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

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

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

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

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

16           (6) Border commercial zone--A commercial zone established under Title 49, C.F.R., Part  
17 372 that is contiguous to the border with Mexico.

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

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

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

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

4                   (11) Current photo identification--A government-issued photo identification that is  
5 currently valid or is expired not more than 12 months, or a state-issued personal identification certificate  
6 issued to a qualifying person if the identification states that it has no expiration.

7                   (12) Digital license plate--As defined in Transportation Code, §504.151.

8                   (13) Digital license plate owner--A digital license plate owner is a person who purchases  
9 or leases a digital license plate from a department-approved digital license plate provider.

10                  (14) Director--The director of the Vehicle Titles and Registration Division, Texas  
11 Department of Motor Vehicles.

12                  (15) Division--Vehicle Titles and Registration Division.

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

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

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

20                  (19) Exhibition vehicle--

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

22   (i) is a collector's item;

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

3 (iii) does not carry advertising; and

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

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

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

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

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

13 (23) Highway construction project--That section of the highway between the warning  
14 signs giving notice of a construction area.

15 (24) International symbol of access--The symbol adopted by Rehabilitation International  
16 in 1969 at its Eleventh World Congress of Rehabilitation of the Disabled.

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

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

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

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

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

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

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

8 (B) vehicle manufacturer safety recall notices;

9 (C) advertising; or

10 (D) a parking permit.

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

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

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

19 (34) REAL ID--The minimum document requirements and issuance standards for federal  
20 recognition under the REAL ID Act of 2005, Public Law 109-13.

21 (35) [(34)] Registration period--A designated period during which registration is valid. A  
22 registration period begins on the first day of a calendar month and ends on the last day of a calendar  
23 month.

1                    (36) [~~(35)~~] Required digital license plate information--The minimum information required  
2 to be displayed on a digital license plate: the registration expiration month and year (unless the vehicle is  
3 a token trailer as defined by Transportation Code, §502.001), the alphanumeric characters representing  
4 the plate number, the word "Texas," the registration expiration notification if the registration for the  
5 vehicle has expired; and the legend (if applicable).

6                    (37) [~~(36)~~] Secondary region of interest--The field on a metal or digital license plate with  
7 the word "Texas" centered horizontally at the top of the plate. The secondary region of interest  
8 encompasses a field of 2.5 inches in width by 0.5625 inches in height on metal license plates manufactured  
9 for motorcycles, mopeds, golf carts, or off-highway vehicles. The secondary region of interest  
10 encompasses a field of 6 inches in width by 1.9375 inches in height on metal license plates manufactured  
11 for all other vehicles.

12                    (38) [~~(37)~~] Service agreement--A contractual agreement that allows individuals or  
13 businesses to access the department's vehicle registration records.

14                    (39) [~~(38)~~] Specialty license plate--A special design license plate issued by the department.

15                    (40) [~~(39)~~] Specialty license plate fee--Statutorily or department required fee payable on  
16 submission of an application for a specialty license plate, symbol, tab, or other device, and collected in  
17 addition to statutory motor vehicle registration fees.

18                    (41) [~~(40)~~] Sponsoring entity--An institution, college, university, sports team, or any other  
19 non-profit individual or group that desires to support a particular specialty license plate by coordinating  
20 the collection and submission of the prescribed applications and associated license plate fees or deposits  
21 for that particular license plate.

1                    (42) [(41)] Street or suburban bus--A vehicle, other than a passenger car, used to transport  
2 persons for compensation exclusively within the limits of a municipality or a suburban addition to a  
3 municipality.

4                    (43) [(42)] Tandem axle group--Two or more axles spaced 40 inches or more apart from  
5 center to center having at least one common point of weight suspension.

6                    (44) [(43)] Unconventional vehicle--A vehicle built entirely as machinery from the ground  
7 up, that is permanently designed to perform a specific function, and is not designed to transport property.

8                    (45) United States birth certificate--An original or certified copy of a birth certificate  
9 issued by the appropriate vital statistics agency of a United States state, territory, or the District of  
10 Columbia indicating birth in the United States; or an original or a certified copy of a United States  
11 government-issued document indicating birth of a child born abroad to a United States citizen, including  
12 a Consular Report of Birth or Department of State Certification of Birth issued to a U.S. Citizen born abroad  
13 (FS 240, DS-1350, or FS 545).

14                    (46) Valid passport--

15                    (A) An unexpired passport or passport card issued by the United States  
16 government; or

17                    (B) An unexpired passport issued by the government of another country  
18 accompanied by one of the following documents issued by the United States Department of Homeland  
19 Security:

20                    (i) Form I-94, unless the Form I-94 shows that the bearer only has Parole  
21 status;

22                    (ii) a current permanent resident card; or



1 containing a unique identification number and expiration date. The current photo identification must be

2 a:

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

5 (2) United States or foreign passport;

6 (3) United States military identification card;

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

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

11 (6) license to carry a handgun issued by the Texas Department of Public Safety under  
12 Government Code, Chapter 411, Subchapter H.

13 (b) Except as stated in subsections (c), (g) and (h) of this section, - an application for initial  
14 registration under Transportation Code, Chapter 502- other than registration under Subchapters C or I of  
15 Chapter 502; §502.146; a registration under §217.66 of this title (relating to Specialized License Plate for  
16 Registration of Rental Trailers); or a commercial vehicle registration under §217.46(b) of this title (relating  
17 to Commercial Vehicle Registration) - is not acceptable unless the applicant presents one of the following  
18 for the owner of the vehicle:

19 (1) a valid, unexpired driver's license or state identification certificate that complies with  
20 REAL ID and is not marked "limited term" or "temporary," issued by a state or territory of the United  
21 States;

1                   (2) a valid, unexpired driver's license or state identification certificate issued by a state  
2 that issues driver's licenses and state identification certificates only to individuals who are legally present  
3 in the United States;

4                   (3) a valid, unexpired driver's license or state identification certificate issued by a state or  
5 territory of the United States, accompanied by a United States birth certificate, United States Certificate  
6 of Naturalization (N-550 or N-570), or a United States Certificate of Citizenship (N-560 or N-561);

7                   (4) a valid passport; or

8                   (5) a valid, unexpired license to carry a handgun issued by the Texas Department of Public  
9 Safety under Government Code, Chapter 411, Subchapter H.

10            (c) ~~(b)~~ If the motor vehicle is titled in:

11                   (1) more than one name, then the identification of one owner under subsections (a), (b),  
12 or (c)(2)-(4) of this section, as applicable, must be presented;

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

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

18                               (B) the leasing company may submit:

19                                       (i) a current photo identification, required under subsection (a) of this  
20 section, of the lessee listed as the registrant; or

21                                       (ii) a current photo identification, required under subsection (a) of this  
22 section, of the employee or authorized agent who signed the application for the leasing company, and the  
23 employee's or authorized agent's employee identification, letter of authorization written on the lessor's

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

4 (3) the name of a trust, then a current photo identification, required under subsection (a)  
5 of this section, of a trustee, or authorized trustee representative if the trustee is a legal entity, must be  
6 presented; or

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

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

12 (B) the employee or authorized agent must present a current photo identification,  
13 required under subsection (a) this section; and

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

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

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

1 (1) the owner's identification, as required under this section; and

2 (2) authorization to sign, as required under this section.

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

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

7 (h) This section does not apply to:

8 (1) apportioned registration under the International Registration Plan;

9 (2) exempt vehicle registration under Transportation Code, Chapter 502, Subchapter J, or  
10 Transportation Code, §502.0025; or

11 (3) registration of off-highway vehicles owned by the state, a county, or a municipality  
12 under Transportation Code §502.140(c).

13

14 §217.28. Vehicle Registration Renewal.

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

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

21 (c) The registration renewal notice should be returned by the vehicle owner to the county tax  
22 assessor-collector in the county in which the owner resides or a county tax assessor-collector who is  
23 willing to accept the application, or to that tax assessor-collector's deputy, either in person or by mail,

1 unless the vehicle owner renews via the Internet. The renewal notice must be accompanied by the  
2 following information, documents and fees:

3 (1) registration renewal fees prescribed by law;

4 (2) documents or information necessary to verify that the vehicle owner has a personal  
5 identification document that meets the applicable requirements of §217.26 of this title (relating to  
6 Identification Required);

7 (3) ~~[(2)]~~ any local fees or other fees prescribed by law and collected in conjunction with  
8 registration renewal; and

9 (4) ~~[(3)]~~ evidence of financial responsibility required by Transportation Code, §502.046,  
10 unless otherwise exempted by law.

11 (d) If a registration renewal notice is lost, destroyed, or not received by the vehicle owner, the  
12 vehicle may be registered if the owner presents personal identification that meets the applicable  
13 requirements of §217.26 of this title ~~[acceptable to the county tax assessor-collector or via the Internet].~~

14 Failure to receive the notice does not relieve the owner of the responsibility to renew the vehicle's  
15 registration.

16 (e) Renewal of expired vehicle registrations.

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

20 (2) If the county tax assessor-collector or the department determines that a registrant has  
21 a valid reason for being delinquent in registration, the vehicle owner will be required to pay for 12 months'  
22 registration. Renewal will establish a new registration expiration month that will end on the last day of  
23 the eleventh month following the month of registration renewal.

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

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

6                   (5) Evidence of a valid reason may include receipts, passport dates, and military orders.  
7 Valid reasons may include:

8                               (A) extensive repairs on the vehicle;

9                               (B) the person was out of the country;

10                              (C) the vehicle is used only for seasonal use;

11                              (D) military orders;

12                              (E) storage of the vehicle;

13                              (F) a medical condition such as an extended hospital stay; and

14                              (G) any other reason submitted with evidence that the county tax assessor-  
15 collector or the department determines is valid.

16                   (6) The operation of a vehicle with an expired registration that has been stored or  
17 otherwise not in operation that is driven only to an inspection station for the purpose of obtaining an  
18 inspection, if applicable, required for registration, will not affect the determination of whether the  
19 registrant has a valid or invalid reason for being delinquent.

20                   (f) For purposes of Transportation Code §502.407(c), the county tax assessor-collector's office of  
21 the county in which the owner resides is closed for a protracted period of time if the county tax assessor-  
22 collector's office has notified the department that it is closed or will be closed for more than one week.

23

1 §217.29. Vehicle Registration Renewal via Internet.

2 (a) Internet registration renewal program. The department will maintain a uniform Internet  
3 registration renewal process. This process will provide for the renewal of vehicle registrations via the  
4 Internet and will be in addition to vehicle registration procedures provided for in §217.28 of this title  
5 (relating to Vehicle Registration Renewal). The Internet registration renewal program will be facilitated by  
6 a third-party vendor.

7 (b) County participation in program. All county tax assessor-collectors shall process registration  
8 renewals through an online system designated by the department.

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

12 (d) Information to be submitted by vehicle owner. A vehicle owner who renews registration via  
13 the Internet must submit or verify the following information:

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

15 (2) information necessary to verify that the vehicle owner has a personal identification  
16 document that meets the applicable requirements of §217.26 of this title (relating to Identification  
17 Required), unless the vehicle owner is renewing a registration under §217.66 of this title (relating to  
18 Specialized License Plate for Registration of Rental Trailers), §217.46(b)(5) of this title (relating to  
19 Commercial Vehicle Registration) regarding a forestry vehicle license plate, and Transportation Code,  
20 §§502.0023 and 502.0024;

21 (3) ~~(2)~~ vehicle information, including the license plate number of the vehicle to be  
22 registered;

1                   (4) [(3)] insurance information, including the name of the insurance company, the name  
2 of the insurance company's agent (if applicable), the telephone number of the insurance company or  
3 agent (local or toll free number serviced Monday through Friday 8:00 a.m. to 5:00 p.m.), the insurance  
4 policy number, and representation that the policy meets all applicable legal standards;

5                   (5) [(4)] credit card information, including the type of credit card, the name appearing on  
6 the credit card, the credit card number, and the expiration date; and

7                   (6) [(5)] other information prescribed by rule or statute.

8                   (e) Duties of the county. A county tax assessor-collector shall:

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

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

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

13                   (4) verify that the vehicle owner's personal identification document meets the applicable  
14 requirements of §217.26;

15                   (5) [(4)] communicate with the third-party vendor and applicants via email, regular mail,  
16 or other means, as specified by the director;

17                   (6) [(5)] reject applications that do not meet all requirements set forth in this chapter, and  
18 in Transportation Code, Chapter 502; and

19                   (7) [(6)] register each vehicle for a 12-month period.

20                   (f) Duties of the department. For vehicle registration renewals that are submitted via the Internet,  
21 the department and its centralized third-party vendor shall promptly facilitate and mail vehicle  
22 registration insignias to applicants.

23

