

1 **REPEAL**

2 **43 TAC §217.141**

3 **SUBCHAPTER H. DEPUTIES**

4 **REPEAL**

5 **43 TAC §217.161**

6 **SUBCHAPTER I. PROCESSING AND HANDLING FEES**

7 **REPEAL**

8 **43 TAC §217.181**

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

10 **43 TAC §217.204**

11 **REPEAL**

12 **43 TAC §217.201**

13 **SUBCHAPTER. K. ELECTRONIC SIGNATURES**

14 **REPEAL**

15 **43 TAC §217.301**

16 **SUBCHAPTER. L. ASSEMBLED VEHICLES**

17 **43 TAC §217.402 AND §217.404**

18 **REPEAL**

19 **43 TAC §217.401**

20

21 **INTRODUCTION.** The Texas Department of Motor Vehicles (department) proposes amendments to 43
22 Texas Administrative Code (TAC) Chapter 217, Vehicle Titles and Registration, Subchapter A, Motor
23 Vehicle Titles, §§217.3 - §217.7 and §217.12, and repeal of §217.1; amendments to Subchapter B, Motor

1 Vehicle Registration, §§217.26 - 217.28, 217.40, 217.41, 217.43, 217.45, 217.47, 217.52, 217.54, 217.56,
2 and 217.57, and repeal of §§217.21, 217.32, and 217.37; amendments to Subchapter C, Registration and
3 Titling Systems, §§217.71, 217.72 and 217.74, and repeal of §217.73; amendments to Subchapter D,
4 Nonrepairable and Salvage Motor Vehicles, §217.83 and §217.84, and repeal of §217.81; amendments to
5 Subchapter F, Motor Vehicle Records, §§217.122, 217.124 – 217.127, and repeal of §217.121;
6 amendments to Subchapter G, Inspections, §217.143, and repeal of §217.141; amendments to
7 Subchapter H, Deputies, repeal of §217.161; amendments to Subchapter I, Processing and Handling Fees,
8 repeal of §217.181; amendments to Subchapter J, Performance Quality Recognition Program, §217.204,
9 and repeal of §217.201; repeal of Subchapter K, Electronic Signatures, §217.301; and amendments to
10 Subchapter L, Assembled Vehicles, §217.402 and §217.404, and repeal of §217.401.

11 The department is conducting a review of its rules in Chapter 217 in compliance with Government
12 Code, §2001.039. Notice of the department’s plan to review Chapter 217 is published in this issue of the
13 *Texas Register*. As a part of the rule review, the department is proposing necessary amendments and
14 repeals to update and streamline the rule text, bringing it into compliance with statute and with current
15 department procedure; to update the language to remove unnecessary or obsolete requirements; to
16 modernize language and improve readability through the use of consistent terminology; and to more
17 specifically describe the department’s methods and procedures.

18 Redundant or unnecessary rules identified in the course of the department’s work with the Texas
19 Regulatory Efficiency Office are also proposed for repeal, including §§217.1, 217.21, 217.32, 217.37,
20 217.73, 217.81, 217.121, 217.141, 217.161, 217.181, 217.201, 217.301, and 217.401.

21 Amendments are also proposed to align the rules with Transportation Code, §502.0024, which
22 requires the department to develop a system of registration allowing owners of trailers, semitrailers or

1 pole trailers with a gross weight of 7,500 pounds or less to register such trailers for an extended
2 registration period not to exceed five years.

3 **EXPLANATION.**

4 **Subchapter A. Motor Vehicle Titles**

5 §217.1

6 This section describing the purpose and scope of the subchapter is proposed for repeal because
7 it is unnecessary as it contains no enforceable or substantive language.

8 §217.3

9 Proposed amendments to §217.3 would delete §217.3(2) because it is a confusing and
10 inconsistent description of the registration requirements for tractors under Transportation Code, Chapter
11 502. Registration of a tractor under Transportation Code, Chapter 502 is dependent on how the tractor is
12 used on public roads, regardless of whether it is owned by any particular entity or meets the specific
13 definition of a “road tractor” in Transportation Code, §502.001. The remaining subparagraphs of §217.3
14 are proposed to be renumbered to accommodate the deletion of §217.3(2).

15 §217.4

16 A proposed amendment to §217.4(d)(2) would delete “if applicable” and replace it with the
17 phrase “unless exempt under Transportation Code, §502.072(c).” The proposed amendment would
18 provide clarity and ease of reference by citing the statute that details the limited circumstances when an
19 odometer disclosure statement is not necessary in the application for a title for a motor vehicle.

20 §217.5

21 Proposed amendments to §217.5(a)(4)(C) would delete “original” and replace that term with
22 “copy of” where pertinent to eliminate the requirement to provide the original version of the bond release
23 letter to align with Texas Transportation Code, §501.030, that does not require an applicant to produce

1 the original version of the bond release letter. This proposed change would also align with the
2 department’s current practice of accepting a copy of the bond release letter.

3 A proposed amendment to §217.5(b) would add language limiting the department’s ability to
4 reject a transaction because the supporting documents that provide evidence of ownership have been
5 altered. Under the proposed language, the department would only be able to reject documents with
6 altered text when the altered text was printed by the department, person, or governmental entity issuing
7 the document. The current rule language could be read to imply that any alteration to any portion of a
8 registration receipt, title, or other evidence of ownership set out in subsection (a)(2) is a valid reason for
9 a rejection, which does not reflect current department practices. Alterations to text printed by the
10 document’s issuer indicate fraud. If corrections are necessary, the document’s issuer can reissue a new
11 document. To prevent fraud and forgery, a proposed amendment to §217.5(b) would add a sentence
12 stating that if a digit printed on a document by the document’s issuer has been altered, the department
13 will reject the transaction. However, the information provided by transferors may require correction due
14 to mistakes that do not indicate fraud, so the proposed amendments to §217.5(b) would allow correction
15 to text in the document if the corrected text was not originally printed by the issuer. The proposed
16 amended language aligns with the department’s policy of allowing statements of fact to correct
17 alterations of portions of documents filled out by a title applicant or seller. An additional proposed
18 amendment to §217.5(b) would delete the word “other” before “evidence of ownership” to align with
19 §217.5(a)(2), which uses “evidence of ownership” rather than “other evidence of ownership.”

20 A proposed amendment to §217.5 would add a new subsection (c) titled “Corrected
21 documentation,” move current (b)(1), (b)(3), and (b)(4) under proposed subsection (c), and renumber
22 them accordingly. Subsection (b)(2) is redundant with language regarding altered issuer-printed digits
23 that is proposed to be added to §217.5(b), so subsection (b)(2) is proposed for deletion. Current §217.5

1 (c) and (d) would be re-lettered to accommodate new subsection §217.5(c). These amendments are
2 proposed to improve organization within §217.5 because current §217.5(b)(1), (b)(3), and (b)(4) all
3 describe different forms of acceptable document correction.

4 §217.6

5 A proposed amendment to §217.6 would delete §217.6(a) and re-letter the remaining subsections
6 accordingly. The proposed change would eliminate text that is duplicative of Transportation Code,
7 §501.024, regarding the issuance of a title receipt; Government Code, §437.217, regarding exemption
8 from fees for deployed military personnel; and Transportation Code, §501.138, regarding persons exempt
9 from the title application fee.

10 §217.7

11 Under §217.104(d) of this title, regarding Electronic Lien Title Program, when a lien that is
12 recorded electronically instead of on a paper title is satisfied, the lienholder notifies the department and
13 specifies the address to which the department should send the paper title. In accordance with
14 §217.104(d), the address the lienholder gives the department may be for a recipient other than the owner
15 of record when a party other than the owner of record has satisfied the lien. The department then
16 removes the lien from the vehicle record, generates a paper title in the name of the owner of record, and
17 mails it to the address specified by the lienholder. A proposed amendment to §217.7 would create a new
18 subsection, §217.7(b), to address instances in which an owner or their agent requests a certified copy of
19 the vehicle title, but the department's records indicate the title was issued to a third party at the direction
20 of a lienholder following the release of an electronic lien. Proposed new §217.7(b) would require the
21 owner or their agent to provide a written statement from either the third party to whom the department
22 sent the title, disclaiming any interest in the vehicle, or a from the lienholder, stating that the title was
23 incorrectly released to the third party. Proposed new §217.7(b) would align with current department

1 procedures and allow the department to confirm that the third party that received the title has no interest
2 in the vehicle before the department would issue a certified copy of title to the owner of record. The
3 remaining subsections under this section would be re-lettered to accommodate new §217.7(b).

4 Proposed amendments to current §217.7(b)(3), which is proposed to be re-lettered as
5 §217.7(c)(3), would provide an additional option for submitting an application for a certified copy of title
6 under a power of attorney by allowing the use of an expired photo identification of an owner or lienholder
7 if the power of attorney is notarized by a Texas notary public. A notary public is a commissioned public
8 officer who is required to confirm a person's identity for signature on the documents they notarize. Under
9 the proposed amendments that create a new re-lettered §217.7(c)(3)(A), the notarized power of attorney
10 submitted with an expired photo identification would become an alternative option that guards against
11 potential fraud while providing flexibility in situations where the owner or lienholder is incapacitated to
12 some extent and unable to secure a current photo identification. The proposed amendments would
13 remove a reference to current §217.7(b)(1) and (2) from current §217.7(b)(3) and would delete current
14 §217.7(b)(3)(C), because they would be redundant with the reference to the same rule provisions in
15 proposed new re-lettered §217.7(c)(3)(A). The proposed amendments would re-letter the remaining
16 subparagraphs of re-lettered §217.7(c)(3) to accommodate proposed new §217.7(c)(3)(A). Proposed
17 amendments to re-lettered §217.7(c)(3)(B) and (C) would add language clarifying which requirements
18 apply when the power of attorney names an individual and which apply when it names an entity, without
19 changing the underlying identification requirements.

20 §217.12

21 A proposed amendment to §217.12 would delete §217.12(a) and re-letter the remaining
22 subsections accordingly. This proposed amendment would eliminate text that is unnecessary because it

1 is just a general statement that summarizes the mandate provided in the statutes administered by the
2 department and county to collect required fees for services.

3 **Subchapter B. Motor Vehicle Registration**

4 §217.21

5 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
6 because it is unnecessary and contains no enforceable of substantive language.

7 §217.26

8 A proposed amendment to §217.26(c)(2)(B)(i) would clarify the photo identification requirements
9 to register a motor vehicle for a lessee where the lessee is not an individual but a legal entity. The
10 proposed amendments would require the person signing the application for the lessee to produce a
11 current photo identification along with a letter of authorization on the lessee's letterhead or a printed
12 business card of the lessee. Under the proposed amendments, either the letter of authorization or the
13 business card must contain the name of the person signing the application that matches their photo
14 identification. This requirement would reduce the opportunity for fraud by lessees impersonating
15 corporate entities.

16 §217.27

17 Proposed amendments to §217.27(c)(2) would align the rule with statute in Transportation Code
18 §502.0026 and with proposed amended §217.54 of this title (relating to Extended Registration). The
19 proposed amendments would capture forms of extended registration that are not currently mentioned in
20 the rule, for clarity and ease of reference for readers.

1 §217.28

2 A proposed amendment to §217.28(f) would replace “one week” with “five consecutive business
3 days” to more specifically define “a protracted period of time” for closure of a county assessor-collector’s
4 office under Transportation Code, §502.407.

5 §217.32

6 This section, describing the replacement of license plates, symbols, tabs and other devices, is
7 proposed for repeal because it is duplicative of the requirements specified in Transportation Code,
8 §502.060 and §504.007.

9 §217.37

10 This section, describing the charging of required fees provided in statute by the department and
11 county, is proposed for repeal because it is unnecessary as it is just a general statement that summarizes
12 the mandate provided in the statutes administrated by the department and county to collect required
13 fees for services.

14 §217.40

15 Proposed amendments to §217.40 would delete §217.40(a) and re-letter the remaining
16 subsections accordingly. The proposed amendments would remove language that is unnecessary as it is
17 unenforceable and contains no substantive provisions. A proposed amendment to proposed re-lettered
18 §217.40(a)(3) would add a provision requiring an applicant applying for a 72- or 144-hour permit for a
19 commercial motor vehicle, motor bus, trailer, or semi-trailer to provide a United States Department of
20 Transportation (USDOT) number. This proposed amendment aligns with current department procedures
21 that were put in place as a fraud deterrent to prevent applications using false or stolen information. The
22 proposed amendment would help to ensure the applications are from legitimate applicants seeking such
23 permits for use consistent with Transportation Code, §502.094. A proposed amendment to proposed re-

1 lettered §217.40(b)(2)(A) would delete the vehicle categories listed in subsections (i) through (v) because
2 subsections (i) - (iii) and (v) are duplicative of Texas Transportation Code, §502.095(d), and subsection (iv)
3 describes a vehicle class that is not eligible for a thirty-day license plate under the statute.

4 §217.41

5 Proposed amendments to §217.41 would delete §217.41(a) and re-letter the remaining
6 subsections accordingly. The proposed amendments would remove language that is unnecessary as it is
7 unenforceable and does not contain substantive provisions. A proposed amendment to proposed re-
8 lettered §217.41(a)(2)(A)(ii) would delete the reference to “Subsection (b-1)” and replace it with the
9 reference to Transportation Code, §504.202(b-1). The proposed amendment corrects a citation error that
10 did not properly reference the provision in the Transportation Code.

11 §217.43

12 Proposed amendments to §217.43 would delete §217.43(a) and re-letter the remaining
13 subsections accordingly. The proposed amendments would remove language that is unnecessary as it is
14 unenforceable and does not contain substantive provisions. A proposed amendment to proposed re-
15 lettered §217.43(c) would remove a cross-reference to §217.32, which is proposed for repeal, and replace
16 it with a reference to Transportation Code, §502.060 and §504.007.

17 §217.45

18 Proposed amendments to §217.45 would delete §217.45(a) and re-letter the remaining
19 subsections accordingly. The proposed amendments would remove language that is unnecessary as it is
20 unenforceable and contains no substantive provisions.

21 §217.47

22 Proposed amendments to §217.47 would delete §217.47(a) and re-letter the remaining
23 subsections accordingly. The proposed amendments would remove language that is unnecessary, as it

1 simply summarizes and restates what is required under specific statutory provision. The deleted language
2 is not substantive and is unenforceable. A proposed amendment to proposed re-lettered §217.47(b)
3 would delete §217.47(b)(7) and (8) since those provisions pertain to notifications and costs between the
4 department and the Department of Public Safety and the Texas Commission on Environmental Quality
5 that are governed by written agreements as authorized under Transportation Code, §502.047, and not by
6 the department’s rules.

7 §217.52

8 Proposed amendments to §217.52 would delete §217.52(a) and re-letter the remaining
9 subsections accordingly. The proposed amendments would remove language because it is unnecessary as
10 it is unenforceable and contains no substantive provisions. Proposed amendments to proposed re-
11 lettered §217.52(g) would delete three license plate categories (T-Plates license plates; luxury license
12 plates; and freedom license plates); rename the “custom license plates” category to “custom personalized
13 specialty license plates”; and provide new descriptions for the “custom personalized specialty license
14 plates,” “background-only license plates,” and “embossed, personalized specialty license plates”
15 categories. These proposed amendments would eliminate outdated license plate categories that are no
16 longer in use and update outdated descriptions of license plate categories to ensure program accuracy
17 and to align the rule with current department practices. A proposed amendment to proposed re-lettered
18 §217.52(g)(9) would delete §217.52(g)(6)(A) as it is duplicative of Transportation Code, §504.853(c), and
19 would re-letter the remaining paragraphs. Additional proposed amendments to §217.52 would change
20 cross-references throughout the section to account for the re-lettering and re-numbering of subsections
21 and paragraphs based on proposed amendments to §217.52.

22 §217.54

1 Proposed amendments to §217.54 would rename the section title and create two subsections to
2 address extended registration of commercial fleet vehicles and certain trailers. The proposed
3 amendments would align the department’s rules with Transportation Code, §502.0023 and §502.0024.
4 Transportation Code, §502.0023 creates extended registration of commercial fleet vehicles registration
5 for a period of not less than one year or more than eight years. Transportation Code, §502.0024 requires
6 the department to develop an extended registration process to allow owners of trailers, semitrailers or
7 pole trailers with a gross weight of 7,500 pounds or less to register such trailers for a period not to exceed
8 five years. A proposed amendment to §217.54 would retitle the section from “Registration of Fleet
9 Vehicles” to “Extended Registration” to more accurately describe the scope of the rule as amended to
10 include the extended registration of both commercial fleet vehicles and certain trailers as provided under
11 Transportation Code, §502.0023 and §502.0024. A proposed amendment would create a new subsection,
12 §217.54(a), with the subsection titled “Extended Registration of Commercial Fleet Vehicles,” and would
13 renumber the existing subsections as paragraphs under the proposed new subsection (a).

14 A proposed amendment to current §217.54(e)(2), proposed to be renumbered as
15 §217.54(a)(5)(B), would add an exception to the requirement that the registration receipt for a token
16 trailer be carried in the vehicle and available to law enforcement. This amendment would align the rule
17 with Transportation Code, §502.0023(d-1) and Transportation Code, §502.255(i), which do not require
18 that the registration receipt be maintained in the token trailer so long as the trailer displays a license plate
19 issued for the registration.

20 Proposed amendments would create new §217.54(b), titled “Extended Registration of Certain
21 Trailers,” to align the rule with Transportation Code §502.0024. Proposed new §217.54(b)(1) would clarify
22 for ease of the reader’s reference that trailers, semitrailers, or pole trailers that have an actual gross
23 weight or registered gross weight of 7,500 pounds or less are eligible for extended registration, in

1 alignment with Transportation Code §502.0024. Proposed new §217.54(b)(2) would detail where to
2 submit an application for extended trailer registration, the contents of the application, the required
3 supporting documents to show evidence of financial responsibility as required by Transportation Code,
4 §502.046, and the required fees associated with the application. Proposed new §217.54(b)(3) would detail
5 an owner’s options for selecting the extended registration period, including requirements that the
6 registration period be between one and five years, begin on the first day of a calendar month, and end on
7 the last day of a calendar month, to align with Transportation Code §502.0024 and to make data
8 processing of the registration period simpler for the department’s registration and titling system.
9 Proposed new §217.54(b)(4) would detail the issuance of the registration insignia, registration receipt and
10 license plate for each extended registration trailer, while prohibiting transfer of the registration receipt
11 or insignia between vehicles, owners or registrants to prevent fraud and to make license plate tracking
12 easier for law enforcement. Proposed new §217.54(b)(5) would provide that an extended registration
13 expires if it is not renewed prior to the end of the expiration period, but allows for the owner, after
14 expiration, to either register the trailer with single-year registration, or to request extended registration
15 to create flexibility for owners.

16 §217.56

17 Proposed amendments to §217.56 would delete §217.56(a) and re-letter the remaining
18 subsections accordingly. The proposed deletion would remove language that is unnecessary and
19 repetitive of statute. Proposed amendments to proposed re-lettered §217.56(a), would delete the
20 definition of “Regional Service Center” because the term was only utilized in reference to an outdated
21 physical approval process and would update the definition of “temporary cab card” to more accurately
22 describe the timing for expiration of the cards. A proposed amendment to proposed re-lettered
23 §217.56(b)(2)(B), would update the reference to the current version of the International Registration Plan

1 to align with the department’s adoption of International Registration Plan under Transportation Code,
2 §502.091.

3 Additional proposed amendments to proposed re-lettered §217.56(b) would account for the
4 department’s streamlined temporary cab card process. Proposed amendments to proposed re-lettered
5 §217.56(b)(2)(C) would modernize the rule to reflect electronic form submission for apportioned
6 registration and would clarify that applicants must provide the department with documents and
7 information required by the International Registration Plan. Proposed amendments to proposed re-
8 lettered §217.56(b)(2)(C) would modernize the rule by striking language that describes the calculation of
9 IRP fees as a separate step, since the electronic system calculates the fees automatically. The amendments
10 would also remove the numbering designation from the remaining subparagraph (i) to accommodate the
11 deletion. Proposed amendments to proposed re-lettered §217.56(b)(2)(D) would broaden the scope of
12 the paragraph to incorporate all application requirements necessary for review and issuance of
13 registration, would consolidate language regarding computation of fees, would eliminate unnecessary
14 language related to an outdated paper payment process since IRP applications are now submitted
15 electronically, would include a modernizing reference to the department’s issuance of cab cards at the
16 time the application is approved. The amendments would also clarify that the issuance of license plates,
17 temporary cab cards, and cab cards is subject to the vehicle being eligible for apportioned registration.

18 Proposed amendments to proposed §217.56(b)(2)(F) would allow a registrant, during an audit by
19 the department, to submit operational records in any format, removing the requirement that the records
20 be submitted in number order and sequence by date. The proposed amendments to proposed re-lettered
21 §217.56(b)(2)(F) would provide more efficient and flexible document submission options for the
22 registrant. Similarly, proposed amendments to proposed re-lettered §217.56(b)(2)(J)(ii) would expand the
23 options for conducting a conference between the department and a registrant to discuss a proposed fee

1 assessment, registration cancellation, or revocation of registration. The proposed amendments to
2 proposed re-lettered §217.56(b)(2)(J)(ii) would include telephonic and videoconferencing as options to
3 allow more flexibility to the registrant and to align with current department processes. The proposed
4 amendments to proposed re-lettered §217.56(b)(2)(H) would substitute “registrant” for “carrier” for
5 consistency with the terminology used in the remainder of proposed re-lettered §217.56(b)(2)(J).

6 Proposed amendments would delete proposed re-lettered §217.56(b)(2)(M) in its entirety
7 because it describes an outdated process that the department has eliminated. The department currently
8 issues a temporary cab card upon approval of an application for apportioned registration and no longer
9 requires paper submission of original documents. A proposed amendment to proposed re-lettered
10 §217.56(b)(2)(L) would remove a cross-reference to §217.56(c)(2)(M) since it is proposed for deletion.
11 §217.57.

12 The proposed amendments to §217.57 would remove language describing the department’s
13 obligation to submit an annual report to the legislature, because it is duplicative of the requirements
14 specified in Transportation Code, §502.004(c).

15

16 **Subchapter C. Registration and Title Systems**

17 §217.71

18 Proposed amendments to §217.71 would delete the current title of the section, “Automated and
19 Web-Based Vehicle Registration and Title Systems,” and rename it “Definitions;” delete §217.71(a),
20 describing the purpose of the section; and delete the heading to §217.71(b), “Definitions.” The proposed
21 amendments would remove the text describing the purpose of the section because it is unnecessary and
22 redundant with the definitions provided elsewhere in the rule. The remaining language is only definitions

1 of terms used elsewhere in Chapter 217, Subchapter C, so the section would be more appropriately titled
2 “Definitions.”

3 §217.72

4 A proposed amendment would create new §217.72(a) by transferring text from current §217.73
5 regarding the agreement that the counties enter into with the department as a precondition to receiving
6 automated equipment from the department, to consolidate and streamline all requirements pertaining
7 to automated equipment for the registration and title system into one rule for ease of reference. The
8 proposed amendments would title the new subsection “Automated Equipment Agreement.” Additional
9 proposed amendments would re-letter the remaining subsections and references to subsections within
10 this section as necessary to accommodate proposed new §217.72(a).

11 §217.73

12 This section, which describes the requirement for and contents of a written agreement between
13 the department and a county for the county to receive automated equipment, is proposed to be repealed,
14 with its text consolidated into §217.72 to put into one rule all requirements and conditions for counties
15 to obtain automated equipment for the registration and title system .

16 §217.74

17 A proposed amendment to §217.74(c) would delete the outdated requirement for active motor
18 vehicle dealers to secure webDealer access in advance of July 1, 2025, and the department’s option to
19 secure access on behalf of a motor vehicle dealer in the county in which the motor vehicle dealer is located
20 if the motor vehicle dealer is unable to obtain access to the system by April 30, 2025. This provision was
21 adopted as part of the department’s implementation of HB 718, 88th Legislature, Regular Session (2023),
22 which enacted Transportation Code, §520.0055 mandating motor vehicle dealers to submit title and
23 registration applications through the department’s electronic system, also known as webDealer. The

1 provision was a temporary measure to ensure motor vehicle dealers came into compliance with the
2 statutory mandate. The deadlines have since passed and the provision is no longer necessary.

3 Similarly, proposed amendments to §217.74(g) would delete the outdated deadline for existing
4 motor vehicle dealers to complete webDealer training and the outdated date to define newly licensed
5 motor vehicle dealers for purposes of webDealer training, both of which passed on April 30, 2025.
6 Another proposed amendment would delete §217.74(g)(2) and renumber the paragraphs under
7 §217.74(g) accordingly, because it reflects an outdated requirement that is no longer relevant. The dates
8 and webDealer training exemption were adopted as part of the department’s implementation of HB 718,
9 88th Legislature, Regular Session (2023), which enacted Transportation Code, §520.0055, that mandated
10 motor vehicle dealers to submit title and registration applications through webDealer. The dates and
11 exemption were temporary measures to ensure motor vehicle dealers came into compliance with the
12 training requirements. The dates have since passed, so the rule provision is no longer necessary.

13 **Subchapter D. Nonrepairable and Salvage Motor Vehicles**

14 §217.81

15 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
16 because it is unnecessary, as relevant statutory references may be incorporated into each rule.

17 §217.83

18 A proposed amendment to §217.83(b)(3) would substitute a reference to Transportation Code,
19 §501.095(b), in place of the description of the person required to apply for a nonrepairable or salvage
20 vehicle title, to streamline the language of the rule. A proposed amendment to §217.83(c)(1) would
21 substitute a reference to Transportation Code, §501.1002 in place of the requirements imposed on an
22 insurance company concerning owner retained vehicles, since those requirements are duplicative of

1 Transportation Code, §501.1002. A proposed amendment to §217.83(c)(2) would fix a cross-reference to
2 §217.83(c)(1) to correct an error.

3 §217.84

4 Proposed amendments to §217.84(d) would amend §217.84(d)(2) and delete §217.84(d)(3) to
5 substitute a reference to Transportation Code, §501.0925 in place of the text describing the
6 documentation requirements an insurance company must follow to obtain a nonrepairable or salvage
7 vehicle title since those requirements are duplicative of Transportation Code, §501.0925. A proposed
8 amendment to proposed renumbered §217.84(d)(4) would reference Transportation Code, §501.0935 to
9 clarify the statutory source of the required notices. Proposed amendments would renumber the
10 remaining paragraphs of this subsection.

11 **Subchapter F. Motor Vehicle Records**

12 §217.121

13 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
14 because it is unnecessary as it contains no enforceable substantive provisions.

15 §217.122

16 A proposed amendment to §217.122(b)(13) would modernize the rule by replacing the term and
17 definition of “eTAG file” with the term and definition of “ePLATE file.” HB 718, 88th Legislature, Regular
18 Session (2023), amended Transportation Code, Chapter 503 by replacing the use of temporary tags in
19 motor vehicle dealer operations with categories of license plates and requiring the department to develop
20 a new license plate system to regulate the distribution and use of license plates. Since the implementation
21 of HB 718, the department has transitioned to creating and maintaining records in the new license plate
22 system of motor vehicle dealers. The proposed definition of “ePLATE file” would describe the contents of
23 the license plate records maintained by the department that can be accessed through procedures outlined

1 in the rules described in Subchapter F, comprised of three bulk files containing records of license plates
2 from a motor vehicle dealer and vehicle transfer notifications.

3 §217.124

4 A proposed amendment to §217.124(d) would replace “eTAG” with “ePLATE” to be consistent
5 with the proposed amendment to §217.122(b)(13) that would replace the term and definition of “eTAG”
6 with “ePLATE.”

7 §217.125

8 A proposed amendment to §217.125 would create new §217.125(b)(1) to require that a requestor
9 of personal information from motor vehicles records under the permitted disclosures of certain personal
10 information in Transportation Code §730.007(a)(2)(B)(ii) submit proof of a complaint of motor vehicle
11 theft filed with a law enforcement agency or a report created by a law enforcement agency describing a
12 complaint of a motor vehicle theft. The proposed amendment would prevent inappropriate release of
13 motor vehicle record information by requiring the requestor to provide documentation to show the
14 genuineness of the request. The proposed amendments would also align the rule with current department
15 procedures. Additional proposed amendments to §217.125 would renumber the remaining paragraphs in
16 subsection (b) to accommodate proposed new §217.125(b)(1).

17 §217.126

18 A proposed amendment to §217.126(a) would substitute a reference to Transportation Code,
19 §730.013 in place of text that duplicates that statute. Similarly, a proposed amendment would delete
20 §217.126(c) as it is duplicative of Transportation Code, §730.013. A proposed amendment to §217.126(d)
21 would re-letter the subsection to (c) based on the proposed deletion of current §217.126(c).

1 §217.127

2 Proposed amendments to §217.127 would delete §217.127(b) and consolidate the text of current
3 §217.127(b) into §217.127(a) to streamline the rule. A proposed amendment to §217.127(c) would re-
4 letter it to §217.127(b) based on the proposed deletion of current §217.127(b).

5 **Subchapter G. Inspections**

6 §217.141

7 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
8 because it is unnecessary as it contains no enforceable substantive provisions.

9 §217.143

10 Proposed amendments to §217.143 would delete §217.143(b) and re-letter the remaining
11 subsections accordingly. The requirement for a custom vehicle or street rod to pass a safety inspection
12 performed by a master technician under §217.143(b) is unnecessary since a custom vehicle and street rod
13 fall within the definition of “assembled vehicle” under Transportation Code, §731.001(a)(4) and would
14 already require a passing safety inspection from a master technician under §217.143(a) prior to titling of
15 the vehicle.

16 **Subchapter H. Deputies**

17 §217.161

18 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
19 because it is unnecessary as it contains no enforceable substantive provisions.

20 **Subchapter I. Processing and Handling Fees**

21 §217.181

22 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
23 because it is unnecessary, as it contains no enforceable substantive provisions.

1 **Subchapter J. Performance Quality Recognition Program**

2 §217.201

3 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
4 because it is unnecessary, as it contains no enforceable substantive provisions.

5 §217.204

6 Proposed amendments to §217.204(a) would streamline the existing text of the subsection for
7 easier readability without changing the meaning.

8 **Subchapter K. Electronic Signatures**

9 §217.301

10 This section, which describes the purpose and scope of the subchapter, is proposed for repeal
11 because it is unnecessary, as it contains no enforceable substantive provisions.

12 **Subchapter L. Assembled Vehicles**

13 §217.401

14 This section, which describes the purpose and scope of the subchapter under §217.401(a), is
15 proposed for repeal because it is unnecessary, as it contains no enforceable substantive provisions. The
16 text in the remaining subsection, §217.401(b), is repealed because it is proposed to be incorporated into

17 §217.402.

18 §217.402

19 A proposed amendment to §217.402 would create new §217.402(c) by incorporating the text
20 from current §217.401(b), which is proposed for repeal, to consolidate it with the other definitions to
21 definitions for Subchapter L, because it defines “a glider kit issued a title with a ‘RECONSTRUCTED’
22 remark” as a “replica.”

23 §217.404

1 A proposed amendment to §217.404(a)(7) would add “if applicable” to the requirement for
2 submission of a weight certificate with an application for initial titling of an assembled vehicle, since the
3 department does not record and maintain the weights of motorcycles and mopeds in the department’s
4 system. The proposed amendment to §217.404(a)(7) would thus clarify that a weight certificate is an
5 optional supporting document to the title application.

6 **FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT.** Chris Hayden, Chief Financial Officer, has
7 determined that for each year of the first five years the amendments will be in effect, there will be no
8 fiscal impact to state or local governments as a result of the enforcement or administration of the
9 proposal. Annette Quintero, Director of the Vehicle Titles and Registration Division, has determined that
10 there will be no measurable effect on local employment or the local economy as a result of the proposal.

11 **PUBLIC BENEFIT AND COST NOTE.** Ms. Quintero has also determined that, for each year of the first five
12 years the proposed amended sections are in effect, the anticipated public benefit as a result of
13 administering or enforcing the amendments will be the simplification, clarification, and streamlining of
14 agency rules; providing an alternative means to apply for a certified copy of a title under a power of
15 attorney; providing a procedure for owners of certain trailers the option to select an extended registration
16 versus an annual registration of such trailers; and reducing the opportunity for misuse of the confidential
17 personal information captured in motor vehicle records.

18 Anticipated Costs to Comply with the Proposal. Ms. Quintero anticipates that there will be no
19 costs to comply with the proposed amendments.

20 **ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** As required by the
21 Government Code, §2006.002, the department has determined that the proposed amendments will not
22 have an adverse economic effect on small businesses, micro-businesses, and rural communities because
23 there are no anticipated costs for persons required to comply with the proposed amendments. Therefore,

1 the department is not required to prepare a regulatory flexibility analysis under Government Code,
2 §2006.002.

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

7 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that each year of the
8 first five years the proposed amendments are in effect, no government program would be created or
9 eliminated; no employee positions would be created or eliminated; there would be no change in the
10 amount of fees paid to the agency; the number of individuals subject to the rule's applicability would not
11 change; and the rule would have no significant impact to the state's economy. Implementation would not
12 require an increase or decrease in future legislative appropriations to the department or an increase or
13 decrease in fees paid to the department. The proposed amendments to §217.54 create a new regulation
14 governing the process in applying for an extended registration for certain trailers. With the exception of
15 the proposed amendments to §217.26 requiring additional identification documents for a representative
16 of a lessee business entity, §217.40 requiring a USDOT number for a 72- or 144-hour permit, and §217.125
17 requiring additional documentation from a requestor seeking personal information contained in motor
18 vehicle records, the proposed revisions do not otherwise expand a regulation. The amendments would
19 repeal 13 existing regulations to remove unnecessary rule text.

20 **REQUEST FOR PUBLIC COMMENT.**

21 If you want to comment on the proposal, submit your written comments by 5:00 p.m. CDT on July 27,
22 2026. The department requests information related to the cost, benefit, or effect of the proposed rule,
23 including any applicable data, research, or analysis, from any person required to comply with the

1 proposed rule or any other interested person. A request for a public hearing must be sent separately from
2 your written comments. Send written comments or hearing requests by email to rules@txdmv.gov or by
3 mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin,
4 Texas 78731. If a hearing is held, the department will consider written comments and public testimony
5 presented at the hearing.

6

7

SUBCHAPTER A. MOTOR VEHICLE TITLES

8 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
9 Code §501.0041, which gives the department authority to adopt rules to administer Transportation
10 Code Chapter 501, Certificate of Title Act; Transportation Code §501.023, which authorizes the
11 department to prescribe the process and procedures for applying for a motor vehicle title;
12 Transportation Code §501.0315, which authorizes the department to adopt rules governing the
13 designation of a beneficiary by a motor vehicle owner; Transportation Code §501.134, which authorizes
14 the department to establish by rule a process for obtaining a lost or destroyed certificate of title; and
15 Transportation Code §1002.001, which authorizes the board to adopt rules that are necessary and
16 appropriate to implement the powers and duties of the department, as well as the statutes referenced
17 throughout this preamble.

18 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code
19 §§501.0041, 501.023, 501.0315, 501.134, and 1002.001.

20

21 **TEXT.**

22 §217.3. Motor Vehicle Titles.

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

5 (1) Motorcycles, autocycles, and mopeds. The title requirements for a motorcycle,
6 autocycle, and moped are the same requirements prescribed for any motor vehicle.

7 ~~[(2) Farm vehicles.]~~

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

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

13 (2) ~~[(3)]~~ Neighborhood electric vehicles. The title requirements of a neighborhood
14 electric vehicle (NEV) are the same requirements prescribed for any motor vehicle.

15 (3) ~~[(4)]~~ Trailers, semitrailers, and house trailers. If a trailer or semitrailer with a gross
16 weight of 4,000 pounds or less has been titled previously, any subsequent owner shall apply for a Texas
17 title for the trailer or semitrailer. Travel trailer-type vehicles must meet the criteria outlined in
18 subparagraph (C) of this paragraph to be titled:

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

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

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

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

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

7 (iii) A recreational park model type trailer that is primarily designed as
8 temporary living quarters for recreational, camping or seasonal use, is built on a single chassis, and is
9 400 square feet or less when measured at the largest horizontal projection when in the set up mode
10 shall be titled as a house trailer and may be issued travel trailer license plates.

11 (4) ~~[(5)]~~ Assembled vehicles. The title requirements for assembled vehicles are
12 prescribed in Subchapter L of this title (relating to Assembled Vehicles).

13 (5) ~~[(6)]~~ Not Eligible for Title. The following are not eligible for a Texas title regardless of
14 the vehicle's previous title or registration in this or any other jurisdiction:

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

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

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

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

- 1 (i) a body or frame from a vehicle which is a "nonrepairable motor
2 vehicle" as that term is defined in Transportation Code §501.091(9); or
3 (ii) a motor or engine from a vehicle which is flood damaged, water
4 damaged, or any other term which may reasonably establish the vehicle from which the motor or engine
5 was obtained is a loss due to a water related event.

6

7 §217.4. Initial Application for Title.

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

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

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

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

- 16 (b) Place of application. Except as otherwise provided by Transportation Code, Chapters 501 and
17 502, and by §217.84(a) of this title (relating to Application for Nonrepairable or Salvage Vehicle Title),
18 when motor vehicle ownership is transferred, a title application must be filed with:

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

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

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

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

2 (A) year;

3 (B) make;

4 (C) identification number;

5 (D) body style; and

6 (E) empty weight;

7 (2) license plate number, if the motor vehicle is subject to registration under

8 Transportation Code, Chapter 502;

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

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

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

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

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

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

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

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

1 (2) an odometer disclosure statement properly executed by the seller of the motor
2 vehicle and acknowledged by the purchaser, unless exempt under Transportation Code, §501.072(c)[if
3 ~~applicable~~];

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

6 (4) for a vehicle last registered or titled in another state, verification of the vehicle
7 identification number by a process prescribed on a form by the department for the applicant to self-
8 certify the vehicle identification number if the vehicle is not subject to Transportation Code, Chapter
9 548;

10 (5) a release of any liens, provided that if any liens are not released, they will be carried
11 forward on the new title application; and

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

13

14 §217.5. Evidence of Motor Vehicle Ownership.

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

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

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

22 (i) manufacturer's name on the face of the manufacturer's certificate of
23 origin;

- 1 (ii) motor vehicle description including, but not limited to, the motor
2 vehicle year, make, model, identification number, and body style;
- 3 (iii) the empty or shipping weight;
- 4 (iv) the gross vehicle weight when the manufacturer's certificate of
5 origin is invoiced to a licensed Texas motor vehicle dealer and is issued for commercial motor vehicles as
6 that term is defined in Transportation Code, Chapter 502;
- 7 (v) a statement identifying a motor vehicle designed by the
8 manufacturer for off-highway use only;
- 9 (vi) if the vehicle is a motor bus, the manufacturer must show the
10 seating capacity (number of passengers) of the motor bus on the manufacturer's certificate; and
- 11 (vii) if the vehicle is a "neighborhood electric vehicle," a statement that
12 the vehicle meets Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500) for low-speed
13 vehicles.
- 14 (B) When a motor vehicle manufactured in another country is sold directly to a
15 person other than a manufacturer's representative or distributor, the manufacturer's certificate of origin
16 must be assigned to the purchaser by the seller.
- 17 (2) Used motor vehicles. Applicants applying for title to a used motor vehicle must
18 relinquish as evidence of ownership one of the following documents:
- 19 (A) a title issued by the department;
- 20 (B) a title issued by another state if the motor vehicle was last titled in another
21 state;
- 22 (C) documents evidencing a transfer of motor vehicle ownership by operation of
23 law as listed in Transportation Code §501.074;

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

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

4 (i) an out-of-state or out-of-country registration receipt that does not
5 provide a transfer of ownership section;

6 (ii) an out of state title when all dealer reassignment sections have been
7 completed and the issuing state does not utilize supplemental dealer reassignment forms; or

8 (iii) a non-titled vehicle.

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

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

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

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

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

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

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

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

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

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

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

1 (b) Alterations to documentation. An alteration to text in a registration receipt, title,
2 manufacturer's certificate, or ~~other~~ evidence of ownership set out in subsection (a) of this section, that
3 was printed by the department, person, or governmental entity issuing the document, constitutes a
4 valid reason for the rejection of any transaction to which altered evidence is attached. If any digit
5 printed by the department, person or governmental entity issuing the document has been altered on
6 any of the document types described above, the transaction shall be rejected.

7 (c) Corrected documentation.

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

11 ~~[(2) A strikeover that leaves any doubt about the legibility of any digit in any document~~
12 ~~will not be accepted.]~~

13 (2)~~[(3)]~~ A corrected manufacturer's certificate of origin will be required if the
14 manufacturer's certificate of origin contains an:

15 (A) incomplete or altered vehicle identification number;

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

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

19 (D) alteration or strikeover to the weight.

20 (3)~~[(4)]~~ A statement of fact may be requested to explain errors, corrections, or
21 conditions from which doubt does or could arise concerning the legality of any instrument. A statement
22 of fact will be required in all cases:

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

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

4 ~~(d)~~ Rights of survivorship. A signed "rights of survivorship" agreement may be executed by a
5 natural person acting in an individual capacity in accordance with Transportation Code, §501.031.

6 ~~(e)~~ Identification required.

7 (1) An application for title is not acceptable unless the applicant presents a current
8 photo identification of the owner containing a unique identification number. The current photo
9 identification must be a:

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

12 (B) United States or foreign passport;

13 (C) United States military identification card;

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

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

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

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

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

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

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

5 (ii) the leasing company may submit:

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

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

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

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

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

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

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

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

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

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

17 (4) Within this subsection, an identification document such as a printed business card,
18 letter of authorization, or power of attorney, may be an original or a photocopy.

19 (5) A person who holds a general distinguishing number issued under Transportation
20 Code, Chapter 503 is exempt from submitting to the county tax assessor-collector, but must retain:

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

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

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

4
5 §217.6. Title Issuance.

6 ~~[(a) Issuance. The department or its designated agent will issue a receipt and process the~~
7 ~~application for title on receipt of:]~~

8 ~~[(1) a completed application for title;]~~

9 ~~[(2) required accompanying documentation;]~~

10 ~~[(3) the statutory fee for a title application, unless exempt under:]~~

11 ~~[(A) Transportation Code, §501.138; or]~~

12 ~~[(B) Government Code, §437.217 and copies of official military orders are~~
13 ~~presented as evidence of the applicant's active duty status and deployment orders to a hostile fire zone;~~
14 ~~and]~~

15 ~~[(4) any other applicable fees.]~~

16 ~~(a)~~~~[(b)]~~ Titles. The department will issue and mail or deliver a title to the applicant or, in the
17 event that there is a lien disclosed in the application, to the first lienholder unless the title is an
18 electronic record of title.

19 ~~(b)~~~~[(c)]~~ Receipt. The receipt issued at the time of application for title may be used only as
20 evidence of title and may not be used to transfer any interest or ownership in a motor vehicle or to
21 establish a new lien.

22 ~~(c)~~~~[(d)]~~ Temporary hold. The department shall place a hold on processing a title application for a
23 motor vehicle if the department receives a request for a hold accompanied by evidence of a legal action

1 regarding ownership of or a lien interest in the motor vehicle. The hold shall continue until a final,
2 nonappealable judgment is entered in the action or the party requesting the hold requests that the hold
3 be removed.

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

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

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

14 (4) The department shall place a ten-day temporary hold on processing a title if a party
15 seeking to obtain a 10-day temporary hold presents the VIN of the vehicle for which the hold is sought,
16 and attests that the hold is being requested in order to commence a legal action disputing a title or lien
17 interest in a motor vehicle and not for purposes of delay.

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

21

1 §217.7. Replacement of Title.

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

6 (b) Titles sent to Third Parties from Release of E-Liens. If the owner of a vehicle or their agent
7 requests a certified copy of their title, which department records show was mailed to a third party by
8 the department at the request of the lienholder following release of an e-lien, the department will not
9 process the request absent submission of:

10 (1) a written statement from the third party, to whom the department mailed the
11 certified copy of title, disclaiming any interest in the vehicle; or

12 (2) a written statement from the lienholder, stating that the title was incorrectly
13 released to the third party, to whom the department mailed the certified copy of title.

14 (c)[(b)] Identification required.

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

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

20 (B) United States or foreign passport;

21 (C) United States military identification card;

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

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

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

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

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

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

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

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

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

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

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

22 (ii) the employee's or authorized agent's employee identification; letter
23 of authorization written on the business', government entity's, or organization's letterhead; or a printed

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

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

7 (A) identification of the owner or lienholder that meets the requirements of
8 paragraphs (1) and (2) of this subsection, except that if the power of attorney is notarized by a
9 commissioned Texas notary public, the photo identification of the owner or lienholder can be expired
10 more than 12 months, and:

11 (B)[(A)] if the power of attorney names an individual, a current photo
12 identification, required under paragraph (1) of this subsection, matching the person named as power of
13 attorney; or

14 (C)[(B)] if the power of attorney names an entity, a current photo identification,
15 required under paragraph (1) of this subsection, and employee identification or a printed business card
16 or authorization written on the letterhead of the entity named as power of attorney that matches the
17 identification of the employee, ~~if the power of attorney names an entity; or~~

18 ~~[(C) current photo identification, required under paragraph (1) of this~~
19 ~~subsection, of the owner or lienholder.]~~

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

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

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

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

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

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

11
12 §217.12. Fees.

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

15 ~~(a)~~~~(b)~~ The \$25 mechanic lien fee provided by Property Code, §70.006 may be charged once per
16 vehicle.

17 ~~(b)~~~~(e)~~ There is no charge for issuance of title receipt or the duplicate title receipt at the time of
18 application.

19
20 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
21 §501.0041, which gives the department authority to adopt rules to administer Transportation Code
22 Chapter 501, Certificate of Title Act; and Transportation Code §1002.001, which authorizes the board to

1 adopt rules that are necessary and appropriate to implement the powers and duties of the department
2 as well as the statutes referenced throughout this preamble.

3 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
4 §§501.0041 and 1002.001.

5

6 **TEXT.**

7 [~~§217.1. Purpose and Scope.~~]

8 [~~The Certificate of Title Act, Transportation Code, Chapter 501, charges the department with the~~
9 ~~responsibility of issuing titles for motor vehicles, unless they are otherwise exempted by law. For the~~
10 ~~department to efficiently and effectively issue motor vehicle titles, maintain records, and collect the~~
11 ~~applicable fees, and to ensure proper application by motor vehicle owners, this subchapter prescribes~~
12 ~~the policies and procedures for the application for and issuance of motor vehicle titles.]~~

13

14 **SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

15 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
16 Code §502.0021, which authorizes the department to adopt rules to administer Transportation Code
17 Chapter 502, Registration of Vehicles; Transportation Code, §502.0024, which authorizes the
18 department to develop and implement an extended registration process for a trailer, semitrailer, or pole
19 trailer with a gross weight of 7,500 pounds or less; Transportation Code, §502.004, which requires the
20 board to adopt rules establishing a program to collect information concerning the number of
21 alternatively fueled vehicles registered in Texas; Transportation Code §502.040, which authorizes the
22 department to prescribe the process and procedures for applying for a motor vehicle registration;
23 Transportation Code, §502.047, which authorizes the department to develop a vehicle registration

1 based enforcement for motor vehicle inspections; Transportation Code, §502.060, which governs the
2 replacement of registration insignia; Transportation Code, §502.091, which authorizes the department
3 to enter into agreements with other jurisdictions of the United States and foreign countries to allow for
4 reciprocal registration of vehicles to residents and nonresidents under the International Registration
5 Plan and to adopt rules to carry out the International Registration Plan; Transportation Code, §502.094,
6 which authorizes the department to issue 72- or 144-hour permits; Transportation Code §502.095,
7 which authorizes the department to issue one-trip and 30-day license plates; Transportation Code,
8 §502.191, which governs the collection of fees by the department or county; Transportation Code
9 §502.1911, which authorizes the board to adopt rules to set registration processing and handling fees;
10 Transportation Code, §502.407, which authorizes the department to define protracted period of time
11 for an office closure of a county assessor-collector by rule; Transportation Code §502.434, which
12 authorizes the department to issue excess weight permits; Transportation Code §504.0011, which
13 authorizes the department to implement and administer Transportation Code, Chapter 504, License
14 Plates; Transportation Code, §504.007, which governs the replacement of license plates; Transportation
15 Code, §504.201, which authorizes the department to issue disabled person license plates;
16 Transportation Code, §504.202, which authorizes the department to issue disabled veteran license
17 plates; Transportation Code, §504.2025, which authorizes the department to issue disabled peace
18 officer license plates; Transportation Code, §504.801, which governs the creation of new specialty
19 license plates by the department; Transportation Code, §504.851, which authorizes the department to
20 contract with private vendors to propose and market department approved specialty license plates and
21 adopt rules setting the fees for the issuance and renewal of the specialty license plates; Transportation
22 Code §681.002, which authorizes the department to issue disabled parking placards; and Transportation
23 Code §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to

1 implement the powers and duties of the department, as well as the statutes referenced throughout this
2 preamble.

3 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code
4 §§502.0021, 502.0024, 502.040, 502.047, 502.060, 502.091, 502.094, 502.095, 502.191, 502.1911,
5 502.407, 502.434, 504.0011, 504.007, 504.201, 504.202, 504.2025, 504.801, 504.851, 681.002, and
6 1002.001.

7

8 **TEXT.**

9 §217.26. Identification Required.

10 (a) Except as stated in subsections (b), (c), (g) and (h) of this section, an application for initial
11 registration - including registration under Transportation Code, Chapter 502, Subchapters C or I;
12 §502.146; a registration under §217.66 of this title (relating to Specialized License Plate for Registration
13 of Rental Trailers); or a commercial vehicle registration under §217.46(b) of this title (relating to
14 Commercial Vehicle Registration) - is not acceptable unless the applicant presents a current photo
15 identification of the owner containing a unique identification number and expiration date. The current
16 photo identification must be a:

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

19 (2) United States or foreign passport;

20 (3) United States military identification card;

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

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

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

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

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

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

17 (3) a valid, unexpired driver's license or state identification certificate issued by a state
18 or territory of the United States, accompanied by a United States birth certificate, United States
19 Certificate of Naturalization (N-550 or N-570), or a United States Certificate of Citizenship (N-560 or N-
20 561);

21 (4) a valid passport; or

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

1 (c) If the motor vehicle is titled in:

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

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

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

9 (B) the leasing company may submit:

10 (i) a current photo identification, required under subsection (a) of this
11 section, of the lessee listed as the registrant if the lessee is an individual; otherwise, if the lessee is a
12 legal entity, a current photo identification, required under this section, of the individual who signed the
13 application for the lessee and either a letter of authorization written on the lessee's letterhead or a
14 printed business card. The printed business card or letter of authorization written on the lessee's
15 letterhead must contain the name of the individual who signed for the lessee, and the individual's name
16 must match the name on the current photo identification; or

17 (ii) a current photo identification, required under subsection (a) of this
18 section, of the employee or authorized agent who signed the application for the leasing company, and
19 the employee's or authorized agent's employee identification, letter of authorization written on the
20 lessor's letterhead, or a printed business card. The printed business card, employee identification, or
21 letter of authorization written on the lessor's letterhead must contain the name of the lessor, and the
22 employee's or authorized agent's name must match the name on the current photo identification;

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

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

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

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

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

18 (d) Within this section, an identification document such as a printed business card, letter of
19 authorization, or power of attorney, may be an original or photocopy.

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

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

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

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

4 (g) This section does not apply to non-titled vehicles.

5 (h) This section does not apply to:

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

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

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

11

12 §217.27. Vehicle Registration Insignia.

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

16 (1) If the vehicle has a windshield, the vehicle registration insignia shall be attached to
17 the inside lower left corner of the vehicle's front windshield in a manner that will not obstruct the vision
18 of the driver, unless the vehicle is registered under Transportation Code, Chapter 504, Subchapter B-1.

19 (2) If the vehicle has no windshield, the vehicle registration insignia shall be attached to
20 the rear license plate unless the vehicle is registered under Transportation Code, Chapter 504,
21 Subchapter B-1, except that registration receipts, retained inside the vehicle, may provide the record of
22 registration for vehicles with permanent trailer plates.

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

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

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

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

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

14 (1) must display two license plates that are clearly visible, readable, and legible, one at
15 the exterior front and one at the exterior rear of the vehicle that are securely fastened at the exterior
16 front and rear of the vehicle in an upright horizontal position of not less than 12 inches from the ground,
17 measuring from the bottom; or

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

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

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

4 (A) vehicles registered under ~~[described by]~~ Transportation Code, §502.0024
5 and §217.54(b) of this chapter (relating to Extended Registration) may obtain a registration insignia for a
6 period consisting of 12, 24, 36, 48 or 60 consecutive months on payment of all fees for each full year of
7 registration; ~~and~~

8 (B) vehicles registered under Transportation Code §502.0026 may obtain
9 registration insignia for a period consisting of 36 consecutive months on payment of all fees for each full
10 year of registration; and

11 (C) ~~(B)~~ vehicles may be registered for 24 consecutive months in accordance
12 with Transportation Code, §502.044(a-1) on payment of all fees for each year of registration.

13 (d) The department may cancel any license plate issued with a personalized license plate
14 number if the department subsequently determines or discovers that the personalized license plate
15 number did not comply with this section when the license plate was issued, or if due to changing
16 language usage, meaning, or interpretation, the personalized license plate number no longer complies
17 with this section. When reviewing a personalized license plate number, the department need not
18 consider the applicant's subjective intent or declared meaning. The department will not issue any
19 license plate containing a personalized license plate number that meets one or more of the following
20 criteria:

21 (1) The license plate number conflicts with the department's current or proposed
22 general issue license plate numbering system.

1 (2) The director or the director's designee finds that the personalized license plate
2 number may be considered objectionable. An objectionable license plate number may include words,
3 phrases, or slang in any language; phonetic, numeric, or reverse spelling; acronyms; patterns viewed in
4 mirror image; or code that only a small segment of the community may be able to readily decipher. An
5 objectionable pattern may be viewed as:

6 (A) indecent (defined as including a direct reference or connotation to a sexual
7 act, sexual body parts, excreta, or sexual bodily fluids or functions. Additionally, the license plate
8 number "69" is prohibited unless used with the full year (1969) or in combination with a reference to a
9 vehicle;

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

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

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

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

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

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

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

4 (3) The license plate number is currently on a license plate issued to another owner.

5 (e) Notwithstanding the provisions of this section, the department may issue license plates with
6 personalized license plate numbers that refer to:

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

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

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

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

1 (h) A person whose initial application has been denied will receive a refund if the denial is not
2 appealed in accordance with subsection (f) of this section. If an existing license plate with a personalized
3 license plate number has been canceled, the person may choose a new personalized license plate
4 number that will be valid for the remainder of the term, or the remaining term of the canceled license
5 plate will be forfeited.

6

7 §217.28. Vehicle Registration Renewal.

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

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

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

19 (1) registration renewal fees prescribed by law;

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

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

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

5 (e) Renewal of expired vehicle registrations.

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

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

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

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

18 (5) Evidence of a valid reason may include receipts, passport dates, and military orders.

19 Valid reasons may include:

20 (A) extensive repairs on the vehicle;

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

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

23 (D) military orders;

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

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

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

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

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

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

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

11 assessor-collector's office has notified the department that it is closed or will be closed for more than

12 five consecutive business days [~~one week~~].

13

14 §217.40. Special Registrations.

15 [~~(a) Purpose and scope. Transportation Code, Chapter 502, Subchapters C and I, charge the~~

16 ~~department with the responsibility of issuing special registration permits and special registration license~~

17 ~~plates, which shall be recognized as legal registration for the movement of motor vehicles not~~

18 ~~authorized to travel on Texas public highways for lack of registration or for lack of reciprocity with the~~

19 ~~state or country in which the vehicles are registered. For the department to efficiently and effectively~~

20 ~~perform these duties, this section prescribes the policies and procedures for the application and the~~

21 ~~issuance of special registration permits and special registration license plates.]~~

22 (a)[~~(b)~~] Permit categories. The department will issue the following categories of special

23 registration permits.

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

2 (A) A permit will not be issued unless the registration fee for hauling the

3 additional weight has been paid prior to the actual hauling.

4 (B) An applicant must provide proof of the applicant's Texas Agriculture or

5 Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts. Proof of the

6 registration number must be:

7 (i) legible;

8 (ii) current;

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

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

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

13 (A) The department will issue annual permits:

14 (i) for a 12-month period designated by the department which begins

15 on the first day of a calendar month and expires on the last day of the last calendar month in that

16 annual registration period; and

17 (ii) to each vehicle or combination of vehicles for the registration fee

18 prescribed by weight classification in Transportation Code, §502.253 and §502.255.

19 (B) The following exemptions apply to vehicles displaying annual permits.

20 Currently registered foreign semitrailers having a gross weight in excess of 6,000 pounds used or to be

21 used in combination with commercial motor vehicles or truck tractors having a gross vehicle weight in

22 excess of 10,000 pounds are exempted from the requirements to pay the token fee and display the

23 associated distinguishing license plate provided for in Transportation Code, §502.255. An annual permit

1 is required for the power unit only. For vehicles registered in combination, the combined gross weight
2 may not be less than 18,000 pounds.

3 (C) Upon approval of an application, the department will issue one license plate
4 for a trailer, semitrailer, or foreign commercial motor vehicle as defined in Transportation Code,
5 §648.001(4). The license plate issued to a truck-tractor shall be installed on the front of the truck-
6 tractor. For other types of vehicles, the license plate issued shall displayed as required by §217.27(b) of
7 this title (relating to Vehicle Registration Insignia).

8 (3) 72-hour permits and 144-hour permits in accordance with Transportation Code,
9 §502.094. An applicant must provide a United States Department of Transportation (USDOT) number.

10 (b)~~(c)~~ License plate categories. The department will issue the following categories of special
11 registration license plates.

12 (1) One-trip license plates in accordance with Transportation Code, §502.095.

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

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

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

19 (2) 30-day license plates in accordance with Transportation Code, §502.095.

20 (A) A vehicle operated on a 30-day license plate is not restricted to a specific
21 route. ~~[The 30-day license plate is available for:]~~

22 ~~[(i) passenger vehicles;]~~

23 ~~[(iii) private buses;]~~

1 ~~[(iii) trailers and semitrailers with a gross weight not exceeding 10,000~~
2 ~~pounds;]~~

3 ~~[(iv) light commercial vehicles not exceeding a gross weight of 10,000~~
4 ~~pounds; and]~~

5 ~~[(v) a commercial vehicle exceeding 10,000 pounds, provided the~~
6 ~~vehicle is operated unladen.]~~

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

9 ~~(c)~~~~(d)~~ Application process.

10 (1) Procedure. An owner who wishes to apply for a special registration permit or special
11 registration license plate for a vehicle which is otherwise required to be registered in accordance with
12 this subchapter, must do so on a form prescribed by the department.

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

14 (A) the signature of the owner;

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

16 (C) the vehicle description.

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

18 (A) statutorily prescribed fees.

19 (B) evidence of financial responsibility:

20 (i) as required by Transportation Code, Chapter 502, Subchapter B,

21 provided that all policies written for the operation of motor vehicles must be issued by an insurance

22 company or surety company authorized to write motor vehicle liability insurance in Texas; or

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

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

5 (4) Place of application.

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

8 (B) Additional weight permits may be obtained by making application with the
9 department through the county tax assessor-collectors' offices.

10 (C) 72-hour and 144-hour permits, one-trip license plates, and 30-day license
11 plates may be obtained by making application either with the department or the county tax assessor-
12 collectors' offices.

13 (d)~~(e)~~ Receipt for special registration permit or special registration license plate in lieu of
14 registration. A receipt will be issued for each special registration permit or special registration license
15 plate in lieu of registration to be carried in the vehicle during the time the special registration permit or
16 special registration license plate is valid. If the receipt is lost or destroyed, the owner must obtain a
17 duplicate from the department or from the county office. The fee for the duplicate receipt is the same
18 as the fee required by Transportation Code, §502.058.

19 (e)~~(f)~~ Transfer of special registration permits or special registration license plates.

20 (1) Special registration permits and special registration license plates are non-
21 transferable between vehicles and/or owners.

22 (2) If the owner of a vehicle displaying a special registration permit or a special
23 registration license plate disposes of the vehicle during the time the permit or license plate is valid, the

1 permit or license plate must be returned to the county tax assessor-collector office or department
2 immediately.

3 ~~(f)~~ Replacement permits. Vehicle owners displaying annual permits may obtain replacement
4 permits if an annual permit is lost, stolen, or mutilated.

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

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

10 ~~(g)~~ Agreements with other jurisdictions. In accordance with Transportation Code, §502.091,
11 and Chapter 648, the executive director of the department may enter into a written agreement with an
12 authorized officer of a state, province, territory, or possession of a foreign country to provide for the
13 exemption from payment of registration fees by nonresidents, if residents of this state are granted
14 reciprocal exemptions. The executive director may enter into such agreement only upon:

15 (1) the approval of the governor; and

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

18 ~~(h)~~ Border commercial zones.

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

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

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

1 (2) Exemption for trips of short duration. Except as provided by paragraph (1) of this
2 subsection, a foreign commercial vehicle operating in accordance with Transportation Code, Chapter
3 648 is exempt from the display of a temporary registration permit if:

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

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

7 (i) not more than 24 hours; or

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

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

11 (II) all financial responsibility requirements applying to this
12 vehicle are satisfied;

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

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

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

1

2 §217.41. Disabled Person License Plates and Disabled Parking Placards.

3 ~~[(a) Purpose. Transportation Code, Chapters 504 and 681, charge the department with the~~
4 ~~responsibility for issuing specially designed license plates and disabled parking placards for disabled~~
5 ~~persons. For the department to perform these duties efficiently and effectively, this section prescribes~~
6 ~~the policies and procedures for the application, issuance, and renewal of disabled person license plates~~
7 ~~and disabled parking placards.]~~

8 ~~(a)[(b)] Issuance.~~

9 (1) For purposes of this section, "disabled person" means a person eligible for
10 issuance of a license plate bearing the International Symbol of Access under Transportation Code,
11 §504.201, including a qualifying disabled veteran under Transportation Code, §504.202(b-1) and a
12 qualifying disabled peace officer under Transportation Code, §504.2025.

13 (2) Disabled person license plates.

14 (A) Eligibility. In accordance with Transportation Code, §504.201; §504.202(b-1)
15 and (b-2); and §504.2025, the department will issue specially designed license plates displaying the
16 International Symbol of Access to permanently disabled persons or their transporters instead of general
17 issue license plates. As satisfactory proof of eligibility, an organization that transports disabled veterans
18 who would qualify for license plates issued under Transportation Code, §504.202(b-1) must provide a
19 written statement from the veteran's county service officer of the county in which a vehicle described
20 by Transportation Code, §504.202(c) is registered or by the Department of Veterans Affairs that:

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

1 (ii) the vehicle regularly transports veterans who are eligible to receive
2 license plates under Transportation Code, §504.202(b-1) [~~Subsection (b-1)~~]; and

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

4 (B) Specialty license plates. The department will issue disabled person specialty
5 license plates displaying the International Symbol of Access that can accommodate the identifying
6 insignia and that are issued in accordance with §217.43 of this title (relating to Military Specialty License
7 Plates) or §217.45 of this title (relating to Specialty License Plates, Symbols, Tabs, and Other Devices).

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

11 (D) General issue license plate option for qualifying disabled veterans and
12 disabled peace officers. In accordance with Transportation Code, §504.202(h) and §504.2025(h),
13 qualifying disabled veterans and disabled peace officers may elect to receive general issue license plates
14 without paying license plate fees.

15 (3) Windshield disabled parking placards.

16 (A) Issuance. The department will issue removable windshield disabled parking
17 placards to temporarily or permanently disabled persons and to the transporters of permanently
18 disabled persons, as provided under Transportation Code, §§504.201, 504.202 (b-1) and (b-2), 504.2025,
19 and 681.004.

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

1 **(b)**~~(c)~~ Renewal of disabled person license plates. Disabled person license plates are valid for a
2 period of 12 months from the date of issuance and are renewable as specified in §§217.28 of this title
3 (relating to Vehicle Registration Renewal), 217.43, and 217.45 of this title.

4 **(c)**~~(d)~~ Replacement.

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

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

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

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

16 **(d)**~~(e)~~ Transfer of disabled person license plates and disabled parking placards.

17 (1) License plates.

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

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

5 (i) Plate ownership verification may include:

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

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

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

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

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

14 (2) Disabled parking placards.

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

17 (B) Transfer between persons. Disabled parking placards may not be transferred
18 between persons.

19 (e)~~(f)~~ Seizure and revocation of disabled parking placard.

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

22 (2) The person to whom the seized disabled parking placard was issued may apply for a
23 new disabled parking placard by submitting an application to the county tax assessor-collector of the

1 county in which the person with the disability resides or in which the applicant is seeking medical
2 treatment.

3

4 §217.43. Military Specialty License Plates.

5 ~~[(a) Purpose and Scope. Transportation Code, Chapter 504 authorizes the department to issue~~
6 ~~military specialty license plates. This section prescribes the policies and procedures for the application,~~
7 ~~issuance, and renewal of military specialty license plates.]~~

8 ~~(a)[(b)]~~ Classification and fees. The department will issue specialty license plates for the military
9 and charge fees as authorized by Transportation Code, §504.202 and Chapter 504, Subchapter D.

10 ~~(b)[(c)]~~ Application. Applications for military specialty license plates must be made to the
11 department and include evidence of eligibility. The evidence of eligibility may include, but is not limited
12 to:

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

14 (2) a letter issued by a governmental entity on that agency's letterhead;

15 (3) discharge papers;

16 (4) a death certificate; or

17 (5) an identification card issued by any branch of the military under the jurisdiction of
18 the United States Department of Defense or the United States Department of Homeland Security
19 indicating that the member is retired.

20 ~~(c)[(d)]~~ Period. Military specialty license plates shall be valid for 12 months from the month of
21 issuance or for a prorated period of at least 12 months coinciding with the expiration of registration and
22 may be replaced in accordance with Transportation Code, §502.060 and §504.007~~§217.32 of this title~~
23 ~~(relating to Replacement of License Plates, Symbols, Tabs, and Other Devices)].~~

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

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

5 (1) what is considered one set of license plates per vehicle as determined by vehicle
6 type;

7 (2) issuance of validation tabs and insignia;

8 (3) stolen or replaced license plates;

9 (4) payment of other applicable fees;

10 (5) personalization, except that Congressional Medal of Honor license plates may not be
11 personalized;

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

15 (7) refunds; and

16 (8) expiration.

17

18 §217.45. Specialty License Plates, Symbols, Tabs, and Other Devices.

19 ~~[(a) Purpose and Scope. Transportation Code, Chapters 504, 551, and 551A charge the~~
20 ~~department with providing specialty license plates, symbols, tabs, and other devices. For the~~
21 ~~department to perform these duties efficiently and effectively, this section prescribes the policies and~~
22 ~~procedures for the application, issuance, and renewal of specialty license plates, symbols, tabs, and~~
23 ~~other devices, through the county tax assessor collectors, and establishes application fees, expiration~~

1 ~~dates, and registration periods for certain specialty license plates. This section does not apply to military~~
2 ~~license plates except as provided by §217.43 of this title (relating to Military Specialty License Plates).]~~

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

4 (1) Application Process.

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

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

10 (2) Fees and Documentation.

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

13 (B) The application must be accompanied by the statutorily prescribed specialty
14 license plate fee.

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

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

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

22 (i) an official document issued by a governmental entity; or

23 (ii) a letter issued by a governmental entity on that agency's letterhead.

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

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

7 (A) County Judge;

8 (B) Federal Administrative Law Judge;

9 (C) State Judge;

10 (D) State Official;

11 (E) U.S. Congress--House;

12 (F) U.S. Congress--Senate; and

13 (G) U.S. Judge.

14 (4) Gift plates.

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

17 (i) the name and address of the person who will receive the license
18 plates; and

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

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

1 ~~(b)~~ Initial issuance of specialty license plates, symbols, tabs, or other devices.

2 (1) Issuance. On receipt of a completed initial application for registration, accompanied
3 by the prescribed documentation and fees, the department will issue specialty license plates, symbols,
4 tabs, or other devices to be displayed on the vehicle for which the license plates, symbols, tabs, or other
5 devices were issued for the current registration period. If the vehicle for which the specialty license
6 plates, symbols, tabs, or other devices are issued is currently registered, the owner must surrender the
7 license plates currently displayed on the vehicle, along with the corresponding license receipt, before
8 the specialty license plates may be issued.

9 (2) Classic Motor Vehicles, Classic Travel Trailers, Custom Vehicles, Street Rods, and
10 Exhibition Vehicles.

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

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

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

19 (iii) the license plate number is already in use on another vehicle.

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

23 (3) Number of license plates issued.

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

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

6 (i) Antique Vehicle (includes Antique Auto, Antique Truck, Antique
7 Motorcycle, and Antique Bus);

8 (ii) Classic Travel Trailer;

9 (iii) Rental Trailer;

10 (iv) Travel Trailer;

11 (v) Cotton Vehicle;

12 (vi) Disaster Relief;

13 (vii) Forestry Vehicle;

14 (viii) Golf Cart;

15 (ix) Log Loader;

16 (x) Military Vehicle;

17 (xi) Package Delivery Vehicle;

18 (xii) Fertilizer; and

19 (xiii) Off-highway Vehicle.

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

23 (4) Assignment of license plates.

1 (A) Title holder. Unless otherwise exempted by law or this section, the vehicle
2 on which specialty license plates, symbols, tabs, or other devices is to be displayed shall be titled in the
3 name of the person to whom the specialty license plates, symbols, tabs, or other devices is assigned, or
4 a title application shall be filed in that person's name at the time the specialty license plates, symbols,
5 tabs, or other devices are issued.

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

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

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

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

17 (7) Personalized license plate numbers.

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

20 (B) Character limit. A personalized license plate number may contain no more
21 than six alpha or numeric characters or a combination of characters. Depending upon the specialty
22 license plate design and vehicle class, the number of characters may vary. Spaces, hyphens, periods,

1 hearts, stars, the International Symbol of Access, or silhouettes of the state of Texas may be used in
2 conjunction with the license plate number.

3 (C) Personalized license plates not approved. A personalized license plate
4 number will not be approved by the executive director if the license plate number:

5 (i) conflicts with the department's current or proposed general issue
6 license plate numbering system;

7 (ii) would violate §217.27 of this title (relating to Vehicle Registration
8 Insignia), as determined by the executive director; or

9 (iii) is currently issued to another owner.

10 (D) Classifications of vehicles eligible for personalized license plates. Unless
11 otherwise listed in subparagraph (E) of this paragraph, personalized license plates are available for all
12 classifications of vehicles.

13 (E) Categories of license plates for which personalized license plates are not
14 available. Personalized license plate numbers are not available for display on the following specialty
15 license plates:

16 (i) Amateur Radio (other than the official call letters of the vehicle
17 owner);

18 (ii) Antique Motorcycle;

19 (iii) Antique Vehicle (includes Antique Auto, Antique Truck, and Antique
20 Bus);

21 (iv) Apportioned;

22 (v) Cotton Vehicle;

23 (vi) Disaster Relief;

- 1 (vii) Farm Trailer (except Go Texan II);
- 2 (viii) Farm Truck (except Go Texan II);
- 3 (ix) Farm Truck Tractor (except Go Texan II);
- 4 (x) Fertilizer;
- 5 (xi) Forestry Vehicle;
- 6 (xii) Log Loader;
- 7 (xiii) Machinery;
- 8 (xiv) Permit;
- 9 (xv) Rental Trailer;
- 10 (xvi) Soil Conservation;
- 11 (xvii) Texas Guard;
- 12 (xviii) Golf Cart;
- 13 (xix) Package Delivery Vehicle; and
- 14 (xx) Off-highway Vehicle.

15 (F) Fee. Unless specified by statute, a personalized license plate fee of \$40 will
16 be charged in addition to any prescribed specialty license plate fee.

17 (G) Priority. Once a personalized license plate number has been assigned to an
18 applicant, the owner shall have priority to that number for succeeding years if a timely renewal
19 application is submitted to the county tax assessor-collector each year in accordance with subsection (d)
20 of this section.

21 (c)~~(d)~~ Specialty license plate renewal.

1 (1) Renewal deadline. If a personalized license plate is not renewed within 60 days after
2 its expiration date, a subsequent renewal application will be treated as an application for new
3 personalized license plates.

4 (2) Length of validation. Except as provided by Transportation Code, §§504.401,
5 504.4061, or 504.502, all specialty license plates, symbols, tabs, or other devices shall be valid for 12
6 months from the month of issuance or for a prorated period of at least 12 months coinciding with the
7 expiration of registration.

8 (3) Renewal.

9 (A) Renewal notice. Approximately 60 days before the expiration date of a
10 specialty license plate, symbol, tab, or other device, the department will send each owner a renewal
11 notice that includes the amount of the specialty license plate fee and the registration fee.

12 (B) Return of notice. The owner must return the fee and any prescribed
13 documentation to the tax assessor-collector of the county in which the owner resides or a county tax
14 assessor-collector who is willing to accept the application, except that the owner of a vehicle with one of
15 the following license plates must return the documentation, and specialty license plate fee, if applicable,
16 directly to the department and submit the registration fee to a county tax assessor-collector:

17 (i) County Judge;

18 (ii) Federal Administrative Law Judge;

19 (iii) State Judge;

20 (iv) State Official;

21 (v) U.S. Congress--House;

22 (vi) U.S. Congress--Senate; and

23 (vii) U.S. Judge.

1 (C) Expired license plate numbers. The department will retain a specialty license
2 plate number for 60 days after the expiration date of the license plates if the license plates are not
3 renewed on or before their expiration date. After 60 days the number may be reissued to a new
4 applicant. All specialty license plate renewals received after the expiration of the 60 days will be treated
5 as new applications.

6 (D) Issuance of validation insignia. On receipt of a completed license plate
7 renewal application and prescribed documentation, the department will issue registration validation
8 insignia as specified in §217.27 unless this section or other law requires the issuance of new license
9 plates to the owner.

10 (E) Lost or destroyed renewal notices. If a renewal notice is lost, destroyed, or
11 not received by the vehicle owner, the specialty license plates, symbol, tab, or other device may be
12 renewed if the owner provides acceptable personal identification along with the appropriate fees and
13 documentation to the tax assessor-collector of the county in which the owner resides or a county tax
14 assessor-collector who is willing to accept the application. Failure to receive the notice does not relieve
15 the owner of the responsibility to renew the vehicle's registration.

16 (d)~~(e)~~ Transfer of specialty license plates.

17 (1) Transfer between vehicles.

18 (A) Transferable between vehicles. The owner of a vehicle with specialty license
19 plates, symbols, tabs, or other devices may transfer the specialty license plates between vehicles by
20 filing an application through the county tax assessor-collector in which the owner resides or a county tax
21 assessor-collector who is willing to accept the application, if the vehicle to which the license plates are
22 transferred:

23 (i) is titled or leased in the owner's name; and

1 (ii) meets the vehicle classification requirements for that particular
2 specialty license plate, symbol, tab, or other device.

3 (B) Non-transferable between vehicles. The following specialty license plates,
4 symbols, tabs, or other devices are non-transferable between vehicles:

5 (i) Antique Vehicle license plates (includes Antique Auto, Antique Truck,
6 and Antique Bus), Antique Motorcycle license plates, and Antique tabs;

7 (ii) Classic Auto, Classic Truck, Classic Motorcycle, Classic Travel Trailer,
8 Street Rod, and Custom Vehicle license plates;

9 (iii) Forestry Vehicle license plates;

10 (iv) Log Loader license plates;

11 (v) Golf Cart license plates;

12 (vi) Package Delivery Vehicle license plates; and

13 (vii) Off-highway Vehicle license plates.

14 (C) New specialty license plates. If the department creates a new specialty
15 license plate under Transportation Code, §504.801, the department will specify at the time of creation
16 whether the license plate may be transferred between vehicles.

17 (2) Transfer between owners.

18 (A) Non-transferable between owners. Specialty license plates, symbols, tabs, or
19 other devices issued under Transportation Code, Chapter 504, Subchapters C, E, and F are not
20 transferable from one person to another except as specifically permitted by statute.

21 (B) New specialty license plates. If the department creates a new specialty
22 license plate under Transportation Code, §504.801, the department will specify at the time of creation
23 whether the license plate may be transferred between owners.

1 (3) Simultaneous transfer between owners and vehicles. Specialty license plates,
2 symbols, tabs, or other devices are transferable between owners and vehicles simultaneously only if the
3 owners and vehicles meet all the requirements in both paragraphs (1) and (2) of this subsection.

4 (e)~~(f)~~ Replacement.

5 (1) Application. When specialty license plates, symbols, tabs, or other devices are lost,
6 stolen, or mutilated, the owner shall apply directly to a county tax assessor-collector for the issuance of
7 replacements.

8 (2) Temporary registration insignia. If the specialty license plate, symbol, tab, or other
9 device is lost, destroyed, or mutilated to such an extent that it is unusable, and if issuance of a
10 replacement license plate would require that it be remanufactured, the owner must pay the statutory
11 replacement fee, and the department will issue a temporary tag for interim use. The owner's new
12 specialty license plate number will be shown on the temporary tag unless it is a personalized license
13 plate, in which case the same personalized license plate number will be shown.

14 (3) Stolen specialty license plates.

15 (A) The department or county tax assessor-collector will not approve the
16 issuance of replacement license plates with the same personalized license plate number if the
17 department's records indicate either the vehicle displaying the personalized license plates or the license
18 plates are reported as stolen to law enforcement. The owner will be directed to contact the department
19 for another personalized license plate choice.

20 (B) The owner may select a different personalized number to be issued at no
21 charge with the same expiration as the stolen specialty license plate. On recovery of the stolen vehicle
22 or license plates, the department will issue, at the owner's or applicant's request, replacement license
23 plates, bearing the same personalized number as those that were stolen.

1 ~~(f)~~~~(g)~~ License plates created after January 1, 1999. In accordance with Transportation Code,
2 §504.702, the department will begin to issue specialty license plates authorized by a law enacted after
3 January 1, 1999, only if the sponsoring entity for that license plate submits the following items before
4 the fifth anniversary of the effective date of the law.

5 (1) The sponsoring entity must submit a written application. The application must be on
6 a form approved by the director and include, at a minimum:

7 (A) the name of the license plate;

8 (B) the name and address of the sponsoring entity;

9 (C) the name and telephone number of a person authorized to act for the
10 sponsoring entity; and

11 (D) the deposit.

12 (2) A sponsoring entity is not an agent of the department and does not act for the
13 department in any matter, and the department does not assume any responsibility for fees or
14 applications collected by a sponsoring entity.

15 ~~(g)~~~~(h)~~ Assignment procedures for state, federal, and county officials.

16 (1) State Officials. State Official license plates contain the distinguishing prefix "SO."

17 Members of the state legislature may be issued up to three sets of State Official specialty license plates

18 with the distinguishing prefix "SO," or up to three sets of State Official specialty license plates that

19 depict the state capitol, and do not display the distinguishing prefix "SO." An application by a member of

20 the state legislature, for a State Official specialty license plate, must specify the same specialty license

21 plate design for each applicable vehicle. State Official license plates are assigned in the following order:

22 (A) Governor;

23 (B) Lieutenant Governor;

1 (C) Speaker of the House;

2 (D) Attorney General;

3 (E) Comptroller;

4 (F) Land Commissioner;

5 (G) Agriculture Commissioner;

6 (H) Secretary of State;

7 (I) Railroad Commission;

8 (J) Supreme Court Chief Justice followed by the remaining justices based on

9 their seniority;

10 (K) Criminal Court of Appeals Presiding Judge followed by the remaining judges

11 based on their seniority;

12 (L) Members of the State Legislature, with Senators assigned in order of district

13 number followed by Representatives assigned in order of district number, except that in the event of

14 redistricting, license plates will be reassigned; and

15 (M) Board of Education Presiding Officer followed by the remaining members

16 assigned in district number order, except that in the event of redistricting, license plates will be

17 reassigned.

18 (2) Members of the U.S. Congress.

19 (A) U.S. Senate license plates contain the prefix "Senate" and are assigned by

20 seniority; and

21 (B) U.S. House license plates contain the prefix "House" and are assigned in

22 order of district number, except that in the event of redistricting, license plates will be reassigned.

23 (3) Federal Judge.

1 (A) Federal Judge license plates contain the prefix "USA" and are assigned on a
2 seniority basis within each court in the following order:

3 (i) Judges of the Fifth Circuit Court of Appeals;

4 (ii) Judges of the United States District Courts;

5 (iii) United States Bankruptcy Judges; and

6 (iv) United States Magistrates.

7 (B) Federal Administrative Law Judge license plates contain the prefix "US" and
8 are assigned in the order in which applications are received.

9 (C) A federal judge who retired on or before August 31, 2003, and who held
10 license plates expiring in March 2004 may continue to receive federal judge license plates. A federal
11 judge who retired after August 31, 2003, is not eligible for U.S. Judge license plates.

12 (4) State Judge.

13 (A) State Judge license plates contain the prefix "TX" and are assigned
14 sequentially in the following order:

15 (i) Appellate District Courts;

16 (ii) Presiding Judges of Administrative Regions;

17 (iii) Judicial District Courts;

18 (iv) Criminal District Courts; and

19 (v) Family District Courts and County Statutory Courts.

20 (B) A particular alpha-numeric combination will always be assigned to a judge of
21 the same court to which it was originally assigned.

1 (C) A state judge who retired on or before August 31, 2003, and who held
2 license plates expiring in March 2004 may continue to receive state judge plates. A state judge who
3 retired after August 31, 2003, is not eligible for State Judge license plates.

4 (5) County Judge license plates contain the prefix "CJ" and are assigned by county
5 number.

6 (6) In the event of redistricting or other license plate reallocation, the department may
7 allow a state official to retain that official's plate number if the official has had the number for five or
8 more consecutive years.

9 (h)~~(i)~~ Development of new specialty license plates.

10 (1) Procedure. The following procedure governs the process of authorizing new specialty
11 license plates under Transportation Code, §504.801, whether the new license plate originated as a result
12 of an application or as a department initiative.

13 (2) Applications for the creation of new specialty license plates. An applicant for the
14 creation of a new specialty license plate, other than a vendor specialty plate under §217.52 of this title
15 (relating to Marketing of Specialty License Plates through a Private Vendor), must submit a written
16 application on a form approved by the executive director. The application must include:

17 (A) the applicant's name, address, telephone number, and other identifying
18 information as directed on the form;

19 (B) certification on Internal Revenue Service letterhead stating that the
20 applicant is a not-for-profit entity;

21 (C) a draft design of the specialty license plate;

22 (D) projected sales of the license plate, including an explanation of how the
23 projected figure was established;

1 (E) a marketing plan for the license plate, including a description of the target
2 market;

3 (F) a licensing agreement from the appropriate third party for any intellectual
4 property design or design element;

5 (G) a letter from the executive director of the sponsoring state agency stating
6 that the agency agrees to receive and distribute revenue from the sale of the specialty license plate and
7 that the use of the funds will not violate a statute or constitutional provision; and

8 (H) other information necessary for the board to reach a decision regarding
9 approval of the requested specialty license plate.

10 (3) Review process. The board:

11 (A) will not consider incomplete applications;

12 (B) may request additional information from an applicant if necessary for a
13 decision; and

14 (C) will consider specialty license plate applications that are restricted by law to
15 certain individuals or groups of individuals (qualifying license plates) using the same procedures as
16 applications submitted for license plates that are available to everyone (non-qualifying license plates).

17 (4) Request for additional information. If the board determines that additional
18 information is needed, the applicant must return the requested information not later than the
19 requested due date. If the additional information is not received by that date, the board will return the
20 application as incomplete unless the board:

21 (A) determines that the additional requested information is not critical for
22 consideration and approval of the application; and

1 (B) approves the application, pending receipt of the additional information by a
2 specified due date.

3 (5) Board decision. The board's decision will be based on:

4 (A) compliance with Transportation Code, §504.801;

5 (B) the proposed license plate design, including:

6 (i) whether the design appears to meet the legibility and reflectivity
7 standards established by the department;

8 (ii) whether the design meets the standards established by the
9 department for uniqueness;

10 (iii) other information provided during the application process;

11 (iv) the criteria designated in §217.27 as applied to the design; and

12 (v) whether a design is similar enough to an existing plate design that it
13 may compete with the existing license plate sales; and

14 (C) the applicant's ability to comply with Transportation Code, §504.702 relating
15 to the required deposit or application that must be provided before the manufacture of a new specialty
16 license plate.

17 (6) Public comment on proposed design. All proposed license plate designs will be
18 considered by the board as an agenda item at a regularly or specially called open meeting. Notice of
19 consideration of proposed license plate designs will be posted in accordance with Office of the Secretary
20 of State meeting notice requirements. Notice of each license plate design will be posted on the
21 department's Internet website to receive public comment at least 25 days in advance of the meeting at
22 which it will be considered. The department will notify all other specialty license plate organizations and
23 the sponsoring agencies who administer specialty license plates issued in accordance with

1 Transportation Code, Chapter 504, Subchapter G, of the posting. A comment on the proposed design
2 can be submitted in writing through the mechanism provided on the department's Internet website for
3 submission of comments. Written comments are welcome and must be received by the department at
4 least 10 days in advance of the meeting. Public comment will be received at the board's meeting.

5 (7) Final approval.

6 (A) Approval. The board will approve or disapprove the specialty license plate
7 application based on all of the information provided pursuant to this subchapter at an open meeting.

8 (B) Application not approved. If the application is not approved under
9 subparagraph (A) of this paragraph, the applicant may submit a new application and supporting
10 documentation for the design to be considered again by the board if:

11 (i) the applicant has additional, required documentation; or

12 (ii) the design has been altered to an acceptable degree.

13 (8) Issuance of specialty license plates.

14 (A) If the specialty license plate is approved, the applicant must comply with
15 Transportation Code, §504.702 before any further processing of the license plate.

16 (B) Approval of the license plate does not guarantee that the submitted draft
17 license plate design will be used. The board has final approval authority of all specialty license plate
18 designs and may adjust or reconfigure the submitted draft design to comply with the format or license
19 plate specifications.

20 (C) If the board, in consultation with the applicant, adjusts or reconfigures the
21 design, the adjusted or reconfigured design will not be posted on the department's website for
22 additional comments.

23 (9) Redesign of specialty license plate.

1 (A) Upon receipt of a written request from the applicant, the department will
2 allow redesign of a specialty license plate.

3 (B) A request for a redesign must meet all application requirements and
4 proceed through the approval process of a new specialty license plate as required by this subsection.

5 (C) An approved license plate redesign does not require the deposit required by
6 Transportation Code, §504.702, but the applicant must pay a redesign cost to cover administrative
7 expenses.

8 (i)~~(h)~~ Golf carts.

9 (1) A county tax assessor-collector may issue golf cart license plates as long as the
10 requirements under Transportation Code, §551.403 or §551.404 are met.

11 (2) A county tax assessor-collector may only issue golf cart license plates to residents or
12 property owners of the issuing county.

13 (3) A golf cart license plate may not be used as a registration insignia, and a golf cart
14 may not be registered for operation on a public highway.

15 (4) The license plate fee for a golf cart license plate is \$10.

16 (j)~~(k)~~ Off-highway vehicle.

17 (1) A county tax assessor-collector may issue off-highway vehicle license plates as long
18 as the requirements under Transportation Code, §551A.053 or §551A.055 are met.

19 (2) An off-highway vehicle license plate may not be used as a registration insignia, and
20 an off-highway vehicle may not be registered for operation on a public highway.

21 (3) The license plate fee for an off-highway vehicle license plate is \$10.

22 (k)~~(l)~~ Package delivery vehicle.

1 (1) A county tax assessor-collector may issue package delivery license plates as long as
2 the requirements under Transportation Code, §§551.453, 551.454, and 551.455 are met.

3 (2) The license plate fee for a package delivery license plate is \$25 to be paid on an
4 annual basis.

5
6 §217.47. Vehicle Emissions Enforcement System.

7 ~~[(a) Purpose. Transportation Code, §502.047 requires the department to implement a system~~
8 ~~requiring verification that a vehicle complies with vehicle emissions inspection and maintenance~~
9 ~~programs as required by the Health and Safety Code, §382.202 and §382.203, and Transportation Code,~~
10 ~~Chapter 548, Subchapter F. Transportation Code, §501.0276 and §502.047 requires a vehicle subject to~~
11 ~~Transportation Code, §548.3011 to pass an emissions test on resale in an affected or early action~~
12 ~~compact county before it is titled or registered. This section prescribes the department's policies and~~
13 ~~procedures if a vehicle does not comply with the emissions standards set by federal and state laws and~~
14 ~~the provisions of the Texas air quality State Implementation Plan.]~~

15 (a)~~(b)~~ Definitions. The following words and terms, when used in this section, shall have the
16 following meanings, unless the context clearly indicates otherwise.

17 (1) Affected County--A county with a motor vehicle emissions inspection and
18 maintenance program established under Transportation Code, §548.301.

19 (2) Department--The Texas Department of Motor Vehicles.

20 (3) DPS--The Texas Department of Public Safety.

21 (4) Early action compact county--A participating county under Health and Safety Code,
22 Chapter 382, Subchapter H.

23 (5) TCEQ--The Texas Commission on Environmental Quality.

1 (6) Vehicle--A self-propelled vehicle required to be registered in the state, except those
2 vehicles exempted by TCEQ.

3 (7) Vehicle inspection report--A vehicle inspection form prescribed by DPS that is printed
4 by the vehicle exhaust gas analyzer immediately following an emissions test.

5 (8) Vehicle emissions I/M program--A vehicle emissions inspection and maintenance
6 program meeting all the requirements of the Environmental Protection Agency.

7 (9) Waiver--A form and certificate that allows a vehicle to be considered in compliance
8 with the vehicle emissions I/M program for a specified period of time after a vehicle fails an emissions
9 test.

10 (b)~~(c)~~ Notice from DPS or TCEQ.

11 (1) DPS, after notice to the vehicle owner, will notify the department if a motor vehicle
12 owner fails to comply with the requirements of Transportation Code, Chapter 548, Subchapter F.

13 (2) TCEQ, after notice to the vehicle owner, will notify the department if a motor vehicle
14 fails to comply with the requirements of Health and Safety Code, §382.202 and §382.203, and
15 Transportation Code, Chapter 548, Subchapter F.

16 (3) The notice will include the vehicle identification number and the license plate
17 number of the affected vehicle.

18 (4) If the department receives a notice of emissions noncompliance from DPS or TCEQ,
19 the department will place a notation on the motor vehicle record that the motor vehicle has failed to
20 comply with the vehicle emissions I/M program.

21 (5) If the department receives a notice of emissions compliance from DPS or TCEQ, the
22 department will remove the non-compliance notation from the motor vehicle record.

1 (6) If a vehicle record contains a notation of failure to comply with the vehicle emissions
2 I/M program, the tax assessor-collector will deny registration unless provided with:

3 (A) proof of compliance with the vehicle emissions I/M program with a "passing"
4 vehicle inspection report; or

5 (B) proof of a waiver issued by DPS that includes the vehicle identification
6 number and the license plate number.

7 ~~[(7) DPS and TCEQ will provide the department with the notifications in a format
8 approved by the department.]~~

9 ~~[(8) DPS and TCEQ will enter into an agreement with the department regarding the
10 remittance to the department for costs associated with implementation of the emissions program.]~~

11 (c)~~[(d)]~~ Vehicles moved into affected or early action compact counties. If a vehicle was last titled
12 in an unaffected county and is to be titled or registered in an affected or early action compact county, it
13 is not eligible for a title receipt, a title, or registration after a retail sale unless proof is presented to the
14 county tax assessor-collector that the vehicle has passed the emissions test. This subsection does not
15 apply to a vehicle that will be used in the affected or early action compact county for fewer than 60 days
16 during the registration period for which registration is sought or to a vehicle that is a 1996 or newer
17 model and has less than 50,000 miles.

18

19 §217.52. Marketing of Specialty License Plates through a Private Vendor.

20 ~~[(a) Purpose and scope. The department will enter into a contract with a private vendor to
21 market department approved specialty license plates in accordance with Transportation Code, Chapter
22 504, Subchapter J. This section sets out the procedure for approval of the design, purchase, and~~

1 ~~replacement of vendor specialty license plates. In this section, the license plates marketed by the vendor~~
2 ~~are referred to as vendor specialty license plates.]~~

3 (a)~~(b)~~ Application for approval of vendor specialty license plate designs.

4 (1) Approval required. The vendor shall obtain the approval of the board for each license
5 plate design the vendor proposes to market in accordance with this section and the contract entered
6 into between the vendor and the department.

7 (2) Application. The vendor must submit a written application on a form approved by
8 the executive director to the department for approval of each license plate design the vendor proposes
9 to market. The application must include:

10 (A) a draft design of the specialty license plate;

11 (B) projected sales of the license plate, including an explanation of how the
12 projected figure was determined;

13 (C) a marketing plan for the license plate including a description of the target
14 market;

15 (D) a licensing agreement from the appropriate third party for any design or
16 design element that is intellectual property; and

17 (E) other information necessary for the board to reach a decision regarding
18 approval of the requested vendor specialty license plate.

19 (b)~~(c)~~ Review and approval process. The board will review vendor specialty license plate
20 applications. The board:

21 (1) will not consider incomplete applications; and

22 (2) may request additional information from the vendor to reach a decision.

23 (c)~~(d)~~ Board decision.

- 1 (1) Decision. The decision of the board will be based on:
- 2 (A) compliance with Transportation Code, Chapter 504, Subchapter J;
- 3 (B) the proposed license plate design, including:
- 4 (i) whether the design meets the legibility and reflectivity standards
- 5 established by the department;
- 6 (ii) whether the design meets the standards established by the
- 7 department for uniqueness to ensure that the proposed license plate complies with Transportation
- 8 Code, §504.852(c);
- 9 (iii) whether the license plate design can accommodate the
- 10 International Symbol of Access (ISA) as required by Transportation Code, §504.201(f);
- 11 (iv) the criteria designated in §217.27 of this title (relating to Vehicle
- 12 Registration Insignia) as applied to the design;
- 13 (v) whether a design is similar enough to an existing license plate design
- 14 that it may compete with the existing license plate sales; and
- 15 (vi) other information provided during the application process.
- 16 (2) Public comment on proposed design. All proposed license plate designs will be
- 17 considered by the board as an agenda item at a regularly or specially called open meeting. Notice of
- 18 consideration of proposed license plate designs will be posted in accordance with Office of the Secretary
- 19 of State meeting notice requirements. Notice of each license plate design will be posted on the
- 20 department's Internet web site to receive public comment at least 25 days in advance of the meeting at
- 21 which it will be considered. The department will notify all specialty license plate organizations and the
- 22 sponsoring agencies who administer specialty license plates issued in accordance with Transportation
- 23 Code, Chapter 504, Subchapter G, of the posting. A comment on the proposed design can be submitted

1 in writing through the mechanism provided on the department's Internet web site for submission of
2 comments. Written comments are welcome and must be received by the department at least 10 days in
3 advance of the meeting. Public comment will be received at the board's meeting.

4 (d)~~(e)~~ Final approval and specialty license plate issuance.

5 (1) Approval. The board will approve or disapprove the specialty license plate
6 application based on all of the information provided pursuant to this subchapter in an open meeting.

7 (2) Application not approved. If the application is not approved, the applicant may
8 submit a new application and supporting documentation for the design to be considered again by the
9 board if:

10 (A) the applicant has additional, required documentation; or

11 (B) the design has been altered to an acceptable degree.

12 (3) Issuance of approved specialty license plates.

13 (A) If the vendor's specialty license plate is approved, the vendor must submit
14 the non-refundable start-up fee before any further design and processing of the specialty license plate.

15 (B) Approval of the specialty license plate does not guarantee that the
16 submitted draft specialty license plate design will be used. The board has final approval of all specialty
17 license plate designs and will provide guidance on the submitted draft design to ensure compliance with
18 the format and specialty license plate specifications.

19 (e)~~(f)~~ Redesign of vendor specialty license plates.

20 (1) On receipt of a written request from the vendor, the department will allow a
21 redesign of a vendor specialty license plate.

22 (2) The vendor must pay the redesign administrative costs as provided in the contract
23 between the vendor and the department.

1 ~~(f)~~~~(g)~~ Multi-year vendor specialty license plates. Purchasers will have the option of purchasing
2 vendor specialty license plates for a one-year, a three-year, or a five-year period.

3 ~~(g)~~~~(h)~~ License plate categories and associated fees. The categories and the associated fees for
4 vendor specialty license plates are set out in this subsection.

5 (1) Custom personalized specialty license plates~~[-]~~ are non-embossed license plates
6 personalized with up to seven alphanumeric characters on department-approved vendor designs.
7 ~~[Custom license plates include license plates with a variety of pre-approved background and character~~
8 ~~color combinations that may be personalized with either three alpha and two or three numeric~~
9 ~~characters or two or three numeric and three alpha characters. Generic license plates on standard white~~
10 ~~sheeting with the word "Texas" that may be personalized with up to six alphanumeric characters are~~
11 ~~considered custom license plates before December 2, 2010.] The fees for issuance of these ~~[Custom and~~
12 ~~Generic]~~ license plates are \$150 for one year, \$400 for three years, and \$450 for five years.~~

13 ~~(2) T-Plates (Premium) license plates. T-Plates (Premium) license plates may be~~
14 ~~personalized with up to seven alphanumeric characters, including the "T," on colored backgrounds or~~
15 ~~designs approved by the department. The fees for issuance of T-Plates (Premium) license plates are~~
16 ~~\$150 for one year, \$400 for three years, and \$450 for five years.]~~

17 ~~(3) Luxury license plates. Luxury license plates may be personalized with up to six~~
18 ~~alphanumeric characters on colored backgrounds or designs approved by the department. The fees for~~
19 ~~issuance of luxury license plates are \$150 for one year, \$400 for three years, and \$450 for five years.]~~

20 ~~(4) Freedom license plates. Freedom license plates include license plates with a variety~~
21 ~~of pre-approved background and character color combinations that may be personalized with up to~~
22 ~~seven alphanumeric characters. The fees for issuance of freedom license plates are \$195 for one year,~~
23 ~~\$445 for three years, and \$495 for five years.]~~

1 ~~(2)(5)~~ Background-only license plates~~[-]~~ are non-personalized embossed or non-
2 embossed license plates on department-approved vendor designs. ~~[Background-only license plates~~
3 ~~include non-personalized license plates with a variety of pre-approved background and character color~~
4 ~~combinations and may be embossed or non-embossed.]~~

5 (A) The fees for issuance of non-embossed, background-only license plates are
6 \$50 for one year, \$130 for three years, and \$175 for five years.

7 (B) Except as stated in subsection (g)(6)(B) of this section ~~[(h)(9)(C)]~~, the fees for
8 embossed, background-only license plates are \$125 for one year, \$205 for three years, and \$250 for five
9 years.

10 ~~(3)(6)~~ Vendor souvenir license plates. Vendor souvenir license plates are replicas of
11 vendor specialty license plate designs that may be personalized with up to 24 alphanumeric characters.
12 Vendor souvenir license plates are not street legal or legitimate insignias of vehicle registration. The fee
13 for issuance of souvenir license plates is \$40.

14 ~~(4)(7)~~ Auction. The vendor may auction department-approved license plate numbers
15 for one, three, or five year terms with options to renew indefinitely at the current price established for a
16 one, three, or five year custom personalized specialty~~[luxury]~~ category license plate. The purchaser of
17 the auction license plate number may select from the vendor background designs, including any
18 embossed license plate designs, at no additional charge at the time of initial issuance. The auction
19 license plate number may be moved from one vendor design plate to another vendor design license
20 plate as provided in subsection (m)(1)~~[(n)(1)]~~ of this section. The auction license plate number may be
21 transferred from owner to owner as provided in subsection (k)(2)~~[(h)(2)]~~ of this section.

22 ~~(5)(8)~~ Embossed, personalized specialty license plates~~[-]~~ are license plates personalized
23 with up to seven alphanumeric characters on department-approved vendor designs. ~~[The vendor may~~

1 ~~sell embossed, personalized specialty license plates with a variety of pre-approved background and~~
2 ~~character color combinations that may be personalized with up to seven alphanumeric characters.]~~

3 Except as stated in subsection ~~(g)(4)(h)(7)~~ of this section, the fees for issuance of embossed,
4 personalized specialty license plates are \$270 for one year, \$520 for three years, and \$570 for five years.

5 Except as stated in subsection ~~(g)(6)(B)(h)(9)(C)~~ of this section, the fees under subsection ~~(g)(6)(h)(9)~~
6 of this section do not apply to an embossed, personalized specialty license plate.

7 ~~(6)(9)~~ Personalization and specialty license plate fees.

8 ~~[(A) The fee for the personalization of license plates applied for prior to~~
9 ~~November 19, 2009 is \$40 if the license plates are renewed annually.]~~

10 ~~(A)(B)~~ The personalization fee for license plates applied for after November 19,
11 2009 is \$40 if the license plates are issued pursuant to Transportation Code, Chapter 504, Subchapters G
12 and I.

13 ~~(B)(C)~~ If the license plates are renewed annually, the personalization and
14 specialty license plate fees remain the same fee as at the time of issuance if a sponsor of a specialty
15 license plate authorized under Transportation Code, Chapter 504, Subchapters G and I signs a contract
16 with the vendor in accordance with Transportation Code, Chapter 504, Subchapter J, even if the board
17 approves the specialty license plate to be an embossed specialty license plate design.

18 ~~(h)(i)~~ Payment of fees.

19 (1) Payment of specialty license plate fees. The fees for issuance of vendor specialty
20 license plates will be paid directly to the state through vendor and state systems for the license plate
21 category and period selected by the purchaser. A person who purchases a multi-year vendor specialty
22 license plate must pay upon purchase the full fee which includes the renewal fees.

1 (2) Payment of statutory registration fees. To be valid for use on a motor vehicle, the
2 license plate owner is required to pay, in addition to the vendor specialty license plate fees, any
3 statutorily required registration fees in the amount as provided by Transportation Code, Chapter 502,
4 and this subchapter.

5 ~~(i)~~ Refunds. Fees for vendor specialty license plate fees will not be refunded after an
6 application is submitted to the vendor and the department has approved issuance of the license plate.

7 ~~(j)~~ Replacement.

8 (1) Application. An owner must apply directly to the county tax assessor-collector for the
9 issuance of replacement vendor specialty license plates and must pay the fee described in paragraphs
10 (2) or (3) of this subsection, whichever applies.

11 (2) Lost or mutilated vendor specialty license plates. To replace vendor specialty license
12 plates that are lost or mutilated, the owner must pay the statutory replacement fee provided in
13 Transportation Code, §504.007.

14 (3) Optional replacements. An owner of a vendor specialty license plate may replace
15 vendor specialty license plates by submitting a request to the county tax assessor-collector accompanied
16 by the payment of a \$6 fee.

17 (4) Interim replacement tags. If the vendor specialty license plates are lost or mutilated
18 to such an extent that they are unusable, replacement specialty license plates may be remanufactured.
19 The county tax assessor-collector will issue interim replacement tags for use until the replacements are
20 available. The owner's vendor specialty license plate number will be shown on the interim replacement
21 tags.

22 (5) Stolen vendor specialty license plates. The county tax assessor-collector will not
23 approve the issuance of replacement vendor specialty license plates with the same license plate number

1 if the department's records indicate that the vehicle displaying that license plate number was reported
2 stolen or the license plates themselves were reported stolen to law enforcement.

3 (k)(4) Transfer of vendor specialty license plates.

4 (1) Transfer between vehicles. The owner of a vehicle with vendor specialty license
5 plates may transfer the specialty license plates between vehicles by filing an application through the
6 county tax assessor-collector if the vehicle to which the specialty license plates are transferred:

7 (A) is titled or leased in the owner's name; and

8 (B) meets the vehicle classification requirements for that specialty license plate.

9 (2) Transfer between owners. Vendor specialty license plates may not be transferred
10 between persons unless the specialty license plate number was initially purchased through auction as
11 provided in subsection (g)(4)(h)(7) of this section. An auctioned license plate number may be
12 transferred as a specialty license plate or as a virtual pattern to be manufactured on a new background
13 as provided under the restyle option in subsection (m)(1)(n)(1) of this section. In addition to the fee
14 paid at auction, the new owner of an auctioned license plate number or plate will pay the department a
15 fee of \$25 to cover the cost of the transfer, and complete the department's prescribed application at the
16 time of transfer.

17 (l)(m) Gift license plates.

18 (1) A person may purchase license plates as a gift for another person if the purchaser
19 submits a statement that provides:

20 (A) the purchaser's name and address;

21 (B) the name and address of the person who will receive the license plates; and

22 (C) the vehicle identification number of the vehicle on which the license plates

23 will be displayed or a statement that the license plates will not be displayed on a vehicle.

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

4 ~~(m)~~ Restyled vendor specialty license plates. A person who has purchased a multi-year
5 vendor specialty license plate may request a restyled license plate at any time during the term of the
6 plate.

7 (1) For the purposes of this subsection, "restyled license plate" is a vendor specialty
8 license plate that has a different style from the originally purchased vendor specialty license plate but:

9 (A) is within the same price category, except if the license plate number was
10 purchased through auction and has the same alpha-numeric characters and expiration date as the
11 previously issued multi-year license plates; or

12 (B) is restyling to an embossed specialty license plate style and has the same
13 alpha-numeric characters and expiration date as the previously issued multi-year license plates.

14 (2) The fee for each restyled license plate is:

15 (A) \$50 for restyling under subsection ~~(m)(1)(A)~~ of this section; or

16 (B) \$75 for restyling under subsection ~~(m)(1)(B)~~ of this section.

17

18 §217.54. Extended Registration. ~~[Registration of Fleet Vehicles.]~~

19 (a) Extended Registration of Commercial Fleet Vehicles.

20 ~~(1)~~ Scope. A registrant may consolidate the registration of multiple motor vehicles in
21 a fleet instead of registering each vehicle separately. A fleet may include trailers and semitrailers. Except
22 as provided by §217.55 of this title (relating to Exempt and Alias Vehicle Registration), to consolidate
23 registration, a registration must meet the requirements of this section.

1 ~~(2)~~~~(b)~~ Eligibility. A fleet must meet the following requirements to be eligible for fleet
2 registration.

3 ~~(A)~~~~(1)~~ No fewer than 12 vehicles will be registered as a fleet;

4 ~~(B)~~~~(2)~~ Vehicles may be registered in annual increments for up to eight years;

5 ~~(C)~~~~(3)~~ All vehicles in a fleet must be owned by or leased to the same business
6 entity;

7 ~~(D)~~~~(4)~~ All vehicles must be vehicles that are not registered under the
8 International Registration Plan; and

9 ~~(E)~~~~(5)~~ Each vehicle must currently be titled in Texas or be issued a registration
10 receipt, or the registrant must submit an application for a title or registration for each vehicle.

11 ~~(3)~~~~(c)~~ Application.

12 ~~(A)~~~~(1)~~ Application for fleet registration must be in a form prescribed by the
13 department. At a minimum the form will require:

14 ~~(i)~~~~(A)~~ the full name and complete address of the registrant;

15 ~~(ii)~~~~(B)~~ a description of each vehicle in the fleet, which may include the
16 vehicle's model year, make, model, vehicle identification number, document number, body style, gross
17 weight, empty weight, and for a commercial vehicle, manufacturer's rated carrying capacity in tons;

18 ~~(iii)~~~~(C)~~ the existing license plate number, if any, assigned to each
19 vehicle; and

20 ~~(iv)~~~~(D)~~ any other information that the department may require.

21 ~~(B)~~~~(2)~~ The application must be accompanied by the following items:

22 ~~(i)~~~~(A)~~ in the case of a leased vehicle, a certification that the vehicle is
23 currently leased to the person to whom the fleet registration will be issued;

1 (ii)~~(B)~~ registration fees prescribed by law for the entire registration
2 period selected by the registrant;

3 (iii)~~(C)~~ local fees or other fees prescribed by law and collected in
4 conjunction with registering a vehicle for the entire registration period selected by the registrant;

5 (iv)~~(D)~~ evidence of financial responsibility for each vehicle as required
6 by Transportation Code, §502.046, unless otherwise exempted by law;

7 (v)~~(E)~~ annual proof of payment of Heavy Vehicle Use Tax;

8 (vi)~~(F)~~ any fees that are required to be collected at the time of
9 registration under Transportation Code, §548.509 for the first year of registration under Transportation
10 Code, §502.0023; and

11 (vii)~~(G)~~ any other documents or fees required by law.

12 (4)~~(4)~~ Registration period.

13 (A)~~(1)~~ The fleet owner will designate a single registration period for a fleet so
14 the registration period for each vehicle will expire on the same date.

15 (B)~~(2)~~ The fleet registration period will begin on the first day of a calendar
16 month and end on the last day of a calendar month.

17 (5)~~(e)~~ Registration receipt and fleet license plates.

18 (A)~~(1)~~ As evidence of registration, the department will issue a registration
19 receipt and one or two metal fleet license plates for each vehicle in a fleet.

20 (B)~~(2)~~ The registration receipt for each vehicle shall at all times be carried in
21 that vehicle and be available to law enforcement personnel upon request unless such vehicle is a token
22 trailer with a valid, non-expiring token trailer plate pursuant to Transportation Code, §502.0023(d-1).

1 (C)~~(3)~~ A registration receipt or fleet license plate may not be transferred
2 between vehicles, owners, or registrants.

3 (6)~~(f)~~ Fleet composition.

4 (A)~~(1)~~ A registrant may add a vehicle to a fleet at any time during the
5 registration period. An added vehicle will be given the same registration period as the fleet and will be
6 issued one or two metal fleet license plates and a registration receipt.

7 (B)~~(2)~~ A registrant may remove a vehicle from a fleet at any time during the
8 registration period. After a vehicle is removed from the fleet, the fleet registrant shall either return the
9 metal fleet license plates for that vehicle to the department or provide the department with acceptable
10 proof that the metal fleet license plates for that vehicle have been destroyed. Credit for any vehicle
11 removed from the fleet for the remaining full year increments can be applied to any vehicle added to
12 the fleet or at the time of renewal. No refunds will be given if credit is not used or the account is closed.

13 (C)~~(3)~~ If the number of vehicles in an account falls below 12 during the
14 registration period, fleet registration will remain in effect. If the number of vehicles in an account is
15 below 12 at the end of the registration period, fleet registration will be canceled. In the event of
16 cancellation, each vehicle shall be registered separately. The registrant shall immediately either return
17 all metal fleet license plates to the department or provide the department with acceptable proof that
18 the metal fleet license plates have been destroyed.

19 (7)~~(g)~~ Fees.

20 (A)~~(1)~~ When a fleet is first established, the department will charge a
21 registration fee for each vehicle for the entire registration period selected. A currently registered
22 vehicle, however, will be given credit for any remaining time on its separate registration.

1 ~~(B)~~~~(2)~~ When a vehicle is added to an existing fleet, the department will charge
2 a registration fee that is prorated based on the number of months of fleet registration remaining. If the
3 vehicle is currently registered, this fee will be adjusted to provide credit for the number of months of
4 separate registration remaining.

5 ~~(C)~~~~(3)~~ When a vehicle is removed from fleet registration, it will be considered
6 to be registered separately. The vehicle's separate registration will expire on the date that the fleet
7 registration would have expired. The registrant must pay the statutory replacement fee to obtain
8 regular registration insignia before the vehicle may be operated on a public highway.

9 ~~(D)~~~~(4)~~ In addition to the registration fees prescribed by Transportation Code,
10 Chapter 502, an owner registering a fleet under this section must pay a one-time fee of \$10 per motor
11 vehicle, semitrailer, or trailer in the fleet. This fee is also due as follows:

12 ~~(i)~~~~(A)~~ for each vehicle added to the owner's existing fleet; and

13 ~~(ii)~~~~(B)~~ for each vehicle that a buyer registers as a fleet, even though the
14 seller previously registered some or all of the vehicles as a fleet under this section.

15 ~~(8)~~~~(H)~~ Payment. Payment will be made in the manner prescribed by the department.

16 ~~(9)~~~~(I)~~ Cancellation.

17 ~~(A)~~~~(1)~~ The department will cancel registration for non-payment and lack of
18 proof of annual payment of the Heavy Vehicle Use Tax.

19 ~~(B)~~~~(2)~~ The department may cancel registration on any fleet vehicle on the
20 anniversary date of the registration if the fleet vehicle is not in compliance with the inspection
21 requirements under Transportation Code, Chapter 548 or the inspection requirements in the rules of the
22 Texas Department of Public Safety.

1 (C)(3) A vehicle with a canceled registration may not be operated on a public
2 highway.

3 (D)(4) If the department cancels the registration of a vehicle under this
4 subsection, the registrant can request the department to reinstate the registration by doing the
5 following:

6 (i)(A) complying with the requirements for which the department
7 canceled the registration;

8 (ii)(B) providing the department with notice of compliance on a form
9 prescribed by the department; and

10 (iii)(C) for a registration canceled under paragraph (2) of this
11 subsection, paying an administrative fee in the amount of \$10.

12 (E)(5) A registrant is eligible for reinstatement of the registration only within
13 90 calendar days of the department's notice of cancellation.

14 (F)(6) If a registrant fails to timely reinstate the registration of a canceled
15 vehicle registration under this section, the registrant:

16 (i)(A) is not entitled to a credit or refund of any registration fees for
17 the vehicle; and

18 (ii)(B) must immediately either return the metal fleet license plates to
19 the department or provide the department with acceptable proof that the metal fleet license plates
20 have been destroyed.

21 (10)(f) Inspection fee. The registrant must pay the department by the deadline listed in
22 the department's invoice for any fees that are required to be collected at the time of registration under
23 Transportation Code, §548.509 on an annual basis under Transportation Code, §502.0023.

1 (b) Extended Registration of Certain Trailers.

2 (1) Eligibility. An owner of a trailer, semitrailer, or pole trailer having an actual gross
3 weight or registered gross weight of 7,500 pounds or less may register the vehicle for an extended
4 registration period of not more than five years.

5 (2) Application.

6 (A) Application for extended registration must be on a form prescribed by the
7 department and include:

8 (i) the full name and complete address of the owner;

9 (ii) a description of the trailer, semitrailer or pole trailer, including the
10 vehicle's model year, make, model, vehicle identification number, document number, body style, gross
11 weight, and empty weight; and

12 (iii) the existing license plate number, if any, assigned to the trailer,
13 semitrailer or pole trailer.

14 (B) The application must be accompanied by the following items:

15 (i) registration fees prescribed by law for the entire registration period
16 selected by the owner;

17 (ii) local fees prescribed by law in conjunction with registering the
18 trailer, semitrailer or pole trailer for the entire registration period selected by the owner;

19 (iii) any fees that are required to be collected at the time of registration
20 under Transportation Code, §548.509 for the registration period selected by the owner under
21 Transportation Code, §502.0024;

22 (iv) the processing and handling fee under Subchapter I of this chapter
23 (relating to Processing and Handling Fees); and

1 (v) evidence of financial responsibility as required by Transportation
2 Code, §502.046, unless otherwise exempted by law.

3 (3) Extended Registration Period.

4 (A)The owner shall designate a registration period between one and five years.

5 (B) The registration period will begin on the first day of a calendar month and
6 end on the last day of a calendar month.

7 (4) Registration receipt and license plates.

8 (A) As evidence of registration, the department will issue a registration insignia,
9 registration receipt and one license plate for the trailer, semitrailer or pole trailer.

10 (B) A registration receipt or registration insignia may not be transferred
11 between vehicles, owners, or registrants.

12 (5) Expiration of registration period.

13 (A) The owner must renew the extended registration prior to the end of the
14 extended registration period.

15 (B) If it is not timely renewed, the extended registration shall expire.

16 (C) After expiration, the owner may renew the registration of the trailer,
17 semitrailer or pole trailer as a standard annual registration, or may request to renew the registration as
18 extended registration.

19

20 §217.56. Registration Reciprocity Agreements.

21 ~~[(a) Purpose. To promote and encourage the fullest possible use of the highway system and~~
22 ~~contribute to the economic development and growth of the State of Texas and its residents, the~~
23 ~~department is authorized by Transportation Code, §502.091 to enter into agreements with duly~~

1 ~~authorized officials of other jurisdictions, including any state of the United States, the District of~~
2 ~~Columbia, a foreign country, a state or province of a foreign country, or a territory or possession of~~
3 ~~either the United States or of a foreign country, and to provide for the registration of vehicles by Texas~~
4 ~~residents and nonresidents on an allocation or distance apportionment basis, and to grant exemptions~~
5 ~~from the payment of registration fees by nonresidents if the grants are reciprocal to Texas residents.]~~

6 (a)~~(b)~~ Definitions. The following words and terms, when used in this section, shall have the
7 following meanings, unless the context clearly indicates otherwise:

8 (1) Cab card--The apportioned vehicle registration receipt that contains, but is not
9 limited to, the vehicle description and the registered weight at which the vehicle may operate in each
10 jurisdiction.

11 (2) Department--The Texas Department of Motor Vehicles.

12 (3) Director--The director of the Motor Carrier Division, Texas Department of Motor
13 Vehicles.

14 (4) Executive director--The chief executive officer of the department.

15 ~~(5) Regional Service Center--A department office which provides specific services to the~~
16 ~~public, including replacement titles, bonded title notices of determination, and apportioned registration~~
17 ~~under the International Registration Plan (IRP).]~~

18 (5) ~~(6)~~ Temporary cab card--A temporary registration authorized by the department
19 that allows the operation of a vehicle for up to 30 days subject to all rights and privileges afforded to a
20 vehicle displaying apportioned registration. A temporary cab card expires on the earliest of the
21 following:

22 (A) 30 days after issuance; or

23 (B) when the registrant affixes the license plate(s) to the vehicle.

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(b)~~(c)~~ Multilateral agreements.

(1) Authority. The executive director may on behalf of the department enter into a multilateral agreement with the duly authorized officials of two or more other jurisdictions to carry out the purpose of this section.

(2) International Registration Plan (IRP).

(A) Applicability. The IRP is a registration reciprocity agreement among states of the United States and other jurisdictions providing for payment of registration fees on the basis of fleet distance operated in various jurisdictions. Its purpose is to promote and encourage the fullest possible use of the highway system by authorizing apportioned registration for commercial motor vehicles and payment of appropriate vehicle registration fees and thus contributing to the economic development and growth of the member jurisdictions.

(B) Adoption. The department adopts by reference the October 1, 2025, ~~January 1, 2024,~~ version of the IRP. The department also adopts by reference the January 1, 2016, version of the IRP Audit Procedures Manual. In the event of a conflict between this section and the IRP or the IRP Audit Procedures Manual, the IRP and the IRP Audit Procedures Manual control. Copies of the documents are available online at www.irponline.org or on request to the department.

(C) Application.

~~[(4)]~~ An applicant must electronically submit an application in the department's designated system for apportioned registration. ~~[to the department on a form prescribed by the director, along with additional documentation as required by the director.]~~ In addition to providing the department with the information and documents required under IRP, an ~~[An]~~ applicant shall provide the department with a copy of the applicant's receipt under the Unified Carrier

1 Registration System Plan and Agreement under 49 U.S.C. §14504a (UCR) to prove the applicant is
2 currently registered under UCR if the applicant is required to register under UCR.

3 ~~[(ii) Upon approval of the application, the department will compute the~~
4 ~~appropriate registration fees and notify the registrant.]~~

5 (D) Issuance of Registration. ~~[Fees.]~~ Upon receipt of the applicable fees,
6 information, and documents, ~~[in the form as provided by §209.23 of this title (relating to Methods of~~
7 ~~Payment),]~~ the department will review the application and, to the extent the vehicle is eligible for
8 apportioned registration, issue one or two license plates, a temporary cab card, and a cab card for each
9 vehicle registered.

10 (E) Display of License Plates and Cab Cards.

11 (i) The department will issue one license plate for a tractor, truck-
12 tractor, trailer, and semitrailer. The license plate issued to a tractor or a truck-tractor shall be installed
13 on the front of the tractor or truck-tractor, and the license plate issued for a trailer or semitrailer shall
14 be installed on the rear of the trailer or semitrailer.

15 (ii) The department will issue two license plates for all other vehicles
16 that are eligible to receive license plates under the IRP. Once the department issues two license plates
17 for a vehicle listed in this clause, one plate shall be installed on the front of the vehicle, and one plate
18 shall be installed on the rear of the vehicle.

19 (iii) The cab card shall be carried at all times in the vehicle in accordance
20 with the IRP. If the registrant chooses to display an electronic image of the cab card on a wireless
21 communication device or other electronic device, such display does not constitute consent for a peace
22 officer, or any other person, to access the contents of the device other than the electronic image of the
23 cab card.

1 (iv) The authority to display an electronic image of the cab card on a
2 wireless communication device or other electronic device does not prevent the Texas State Office of
3 Administrative Hearings or a court of competent jurisdiction from requiring the registrant to provide a
4 paper copy of the cab card in connection with a hearing, trial, or discovery proceeding.

5 (F) Audit. An audit of the registrant's vehicle operational records may be
6 conducted by the department according to the IRP provisions and the IRP Audit Procedures Manual.
7 Upon request, the registrant shall provide the department with operational records of each vehicle for
8 audit in any format or medium available to the registrant and accessible to the department, [unit
9 number order, in sequence by date, and] including, but not limited to, a summary of distance traveled
10 by each individual vehicle on a monthly, quarterly, and annual basis with distance totaled separately for
11 each jurisdiction in which the vehicle traveled.

12 (G) Assessment. The department may assess additional registration fees of up to
13 100% of the apportionable fees paid by the registrant for the registration of its fleet in the registration
14 year to which the records pertain, as authorized by the IRP, if an audit conducted under subparagraph
15 (F) of this paragraph reveals that:

16 (i) the operational records indicate that the vehicle did not generate
17 interstate distance in two or more member jurisdictions for the distance reporting period supporting the
18 application being audited, plus the six-month period immediately following that distance reporting
19 period;

20 (ii) the registrant failed to provide complete operational records; or

21 (iii) the distance must be adjusted, and the adjustment results in a
22 shortage of registration fees due Texas or any other IRP jurisdiction.

1 (H) Refunds. If an audit conducted under subparagraph (F) of this paragraph
2 reveals an overpayment of fees to Texas or any other IRP jurisdiction, the department will refund the
3 overpayment of registration fees in accordance with Transportation Code, §502.195 and the IRP. Any
4 registration fees refunded to a registrant [~~carrier~~] for another jurisdiction will be deducted from
5 registration fees collected and transmitted to that jurisdiction.

6 (I) Cancellation or revocation. The director or the director's designee may cancel
7 or revoke a registrant's apportioned registration and all privileges provided by the IRP as authorized by
8 the following:

9 (i) the IRP; or

10 (ii) Transportation Code, Chapter 502.

11 (J) Procedures for assessment, cancellation, or revocation.

12 (i) Notice. If a registrant is assessed additional registration fees, as
13 provided in subparagraph (G) of this paragraph, and the additional fees are not paid by the due date
14 provided in the notice or it is determined that a registrant's apportioned license plates and privileges
15 should be canceled or revoked, as provided in subparagraph (I) of this paragraph, the director or the
16 director's designee will mail a notice by certified mail to the last known address of the registrant. The
17 notice will state the facts underlying the assessment, cancellation, or revocation; the effective date of
18 the assessment, cancellation, or revocation; and the right of the registrant to request a conference as
19 provided in clause (ii) of this subparagraph.

20 (ii) Conference. A registrant may request a conference upon receipt of a
21 notice issued as provided by clause (i) of this subparagraph. The request must be made in writing to the
22 director or the director's designee within 30 days of the date of the notice. If timely requested, the
23 conference will be scheduled and conducted by the director or the director's designee in person at the

1 department's [division] headquarters in Austin or remotely using telephonic or videoconferencing
2 technology and will serve to abate the assessment, cancellation, or revocation unless and until that
3 assessment, cancellation, or revocation is affirmed or disaffirmed by the director or the director's
4 designee. In the event matters are resolved in the registrant's favor, the director or the director's
5 designee will mail the registrant a notice of withdrawal, notifying the registrant that the assessment,
6 cancellation, or revocation is withdrawn, and stating the basis for that action. In the event matters are
7 not resolved in the registrant's favor, the director or the director's designee will issue a decision
8 reaffirming the department's assessment of additional registration fees or cancellation or revocation of
9 apportioned license plates and privileges. The registrant has the right to appeal in accordance with
10 clause (iii) of this subparagraph.

11 (iii) Appeal. If a conference held in accordance with clause (ii) of this
12 subparagraph fails to resolve matters in the registrant's favor, the registrant may submit an appeal
13 under §224.122 of this title (relating to Appeal of Decision Regarding Assessment, Cancellation, or
14 Revocation Under §217.56). An appeal will be governed by Chapter 224 of this title (relating to
15 Adjudicative Practice and Procedure) and Transportation Code, Chapter 502.

16 (K) Reinstatement.

17 (i) The director or the director's designee will reinstate apportioned
18 registration to a previously canceled or revoked registrant if all applicable fees and assessments due on
19 the previously canceled or revoked apportioned account have been paid and the applicant provides
20 proof of an acceptable recordkeeping system for a period of no less than 60 days.

21 (ii) The application for the following registration year will be processed
22 in accordance with the provisions of the IRP.

1 (L) Denial of apportioned registration for safety reasons. The department will
2 comply with the requirements of the Performance and Registration Information Systems Management
3 program (PRISM) administered by the Federal Motor Carrier Safety Administration (FMCSA).

4 (i) Denial or suspension of apportioned registration. Upon notification
5 from the FMCSA that a carrier has been placed out of service for safety violations, the department will:

6 (I) deny initial issuance of apportioned registration;

7 (II) deny authorization for a temporary cab card ~~[, as provided~~
8 ~~for in subparagraph (M) of this paragraph];~~

9 (III) deny renewal of apportioned registration; or

10 (IV) suspend current apportioned registration.

11 (ii) Issuance after denial of registration or reinstatement of suspended
12 registration. The director or the director's designee will reinstate or accept an initial or renewal
13 application for apportioned registration from a registrant who was suspended or denied registration
14 under clause (i) of this subparagraph upon presentation of a Certificate of Compliance from FMCSA, in
15 addition to all other required documentation and payment of fees.

16 ~~[(M) Temporary cab card.]~~

17 ~~[(i) Application. The department may authorize issuance of a temporary~~
18 ~~cab card to a motor carrier with an established Texas apportioned account for a vehicle upon proper~~
19 ~~submission of all required documentation, a completed application, and all fees for either:]~~

20 ~~[(i) Texas title as prescribed by Transportation Code, Chapter~~
21 ~~501 and Subchapter A of this chapter (relating to Motor Vehicle Titles); or]~~

1 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code

2 §§502.0021, 502.060, §502.191, 502.1911, 504.007, and 1002.001.

3

4 **TEXT.**

5 [~~§217.21. Purpose and Scope.~~]

6 [~~Transportation Code, Chapter 502, charges the department with the responsibility of registering~~
7 ~~vehicles operated on the public streets and highways of this state; maintaining vehicle registration~~
8 ~~records; and collecting and reporting statutory registration fees. For the department to perform these~~
9 ~~duties efficiently and effectively and to ensure proper application by motor vehicle registrants in~~
10 ~~accordance with statutory provisions, this subchapter prescribes the policies and procedures for the~~
11 ~~application and issuance of vehicle registration.~~]

12

13 [~~§217.32. Replacement of License Plates, Symbols, Tabs, and Other Devices~~]

14 [(a) ~~When a metal license plate, symbol, tab, or other registration device is lost, stolen,~~
15 ~~mutilated, or needs to be replaced for cosmetic or readability reasons, a metal license plate~~
16 ~~replacement may be obtained from any county tax assessor-collector upon:]~~

17 [(1) ~~the payment of the statutory replacement fee prescribed by Transportation Code,~~
18 ~~§502.060 or §504.007; and]~~

19 [(2) ~~the provision of a signed statement, on a form prescribed by the department, that~~
20 ~~states:]~~

21 [(A) ~~the license plate, symbol, tab, or other registration device furnished for the~~
22 ~~described vehicle has been lost, stolen, mutilated, or needs to be replaced for cosmetic or readability~~
23 ~~reasons, and if recovered, will not be used on any other vehicle; and]~~

1 ~~[(B) the replaced license plate, symbol, tab, or other device will only be used on~~
2 ~~the vehicle to which it was issued.]~~

3 ~~[(b) If the owner remains in possession of any part of the lost, stolen, or mutilated metal license~~
4 ~~plate, symbol, tab, or other registration device, that remaining part must be removed and surrendered~~
5 ~~to the department on issuance of the replacement and request by the county tax assessor-collector.]~~

6

7 ~~[\$217.37. Fees.]~~

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

10

11 **SUBCHAPTER C. REGISTRATION AND TITLE SYSTEMS**

12 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
13 Code §502.0021, which authorizes the department to adopt rules to administer Transportation Code
14 Chapter 502, Registration of Vehicles; Transportation Code §502.059, which authorizes the department
15 to adopt rules providing for an automated registration process; Transportation Code §520.003, which
16 authorizes the department to adopt rules to administer Transportation Code Chapter 520,
17 Miscellaneous Provisions; Transportation Code §520.023, which authorizes the department to
18 implement a training program providing information on the department’s automated registration and
19 titling system and require training of persons performing titling and registration services in the systems;
20 Transportation Code §520.0055, which authorizes the department to mandate motor vehicle dealers
21 use a department designated electronic system to submit title and registration application to county tax
22 assessor-collectors for motor vehicle transactions; and Transportation Code §1002.001, which

1 authorizes the board to adopt rules that are necessary and appropriate to implement the powers and
2 duties of the department, as well as the statutes referenced throughout this preamble.

3 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code
4 §§502.0021, 502.059, 520.003, 520.023, 520.0055, and 1002.001.

5

6 **TEXT.**

7 §217.71. Definitions [~~Automated and Web-Based Vehicle Registration and Title Systems.~~]

8 [(a) Purpose.]

9 [(1) Transportation Code, Chapters 501 and 502, charge the department with the
10 responsibility for issuing titles and registering vehicles operating on the roads, streets, and highways of
11 the state.]

12 [(2) To provide a more efficient, cost-effective system for registering and titling vehicles,
13 submitting title and registration records to county tax assessor-collectors and the department,
14 maintaining records, improving inventory control of accountable items, and collecting and reporting of
15 applicable fees consistent with those statutes, the department has designed:]

16 [(A) an automated system known as the registration and title system. This
17 system expedites registration and titling processes, provides a superior level of customer service to the
18 owners and operators of vehicles, and facilitates availability of the department's motor vehicle records
19 for official law enforcement needs. Automated equipment compatible with the registration and title
20 system is indispensable to the operational integrity of the system; and]

21 [(B) a web-based system known as webDEALER. This system expedites
22 registration and titling processes, provides a superior level of customer service to the owners and

1 ~~operators of vehicles, and facilitates availability of the department's motor vehicle records for official~~
2 ~~law enforcement needs.]~~

3 ~~[(3) This subchapter prescribes the policies and procedures under which the department~~
4 ~~may make the automated equipment available to a county tax assessor-collector as designated agent of~~
5 ~~the state for processing title and vehicle registration documents and the policies and procedures to use~~
6 ~~webDEALER.]~~

7 ~~[(b) Definitions.]~~ The following words and terms, when used in this subchapter, shall have the
8 following meanings, unless the context clearly indicates otherwise.

9 (1) Automated equipment--Equipment associated with the operation of the registration
10 and titling system, including, but not limited to, microcomputers, printers, software, and cables.

11 (2) Department--The Texas Department of Motor Vehicles.

12 (3) Executive director--The executive director of the Texas Department of Motor
13 Vehicles.

14 (4) Fair share allocation--The amount of automated equipment determined by the
15 department to be effective at providing a reasonable level of service to the public. This amount will be
16 determined on transaction volumes, number of county substations, and other factors relating to a
17 particular county's need.

18 (5) RTS--The department's registration and title system.

19 (6) Title application--A form as defined by §217.2 of this title (relating to Definitions),
20 and includes the electronic process provided by the department that captures the information required
21 by the department to create a motor vehicle title record.

22 (7) webDEALER--The department's web-based titling and registration system used to
23 submit title applications to county tax assessor-collectors and the department. This term includes any

1 other web-based system which facilitates electronic submission of title applications, including
2 webSALVAGE, eTITLE, and webLIEN.

3

4 §217.72. Automated Equipment for the Registration and Title System.

5 (a) Automated Equipment Agreement. Prior to receiving automated equipment, a county must

6 enter into a written agreement with the department. The agreement shall:

7 (1) be in a form prescribed by the department;

8 (2) include at a minimum each of the terms and conditions specified in this section;

9 (3) be executed on behalf of the department by the executive director or, if designated

10 by the executive director, a deputy executive director or the Director of the Vehicle Titles and

11 Registration Division; and

12 (4) be approved by resolution or order of the commissioners court and executed on

13 behalf of the county by the county judge and the county tax assessor-collector.

14 (b)~~(a)~~ Initial allocation of automated equipment. When requested by resolution of the

15 commissioners court of a county, and subject to the terms and conditions specified in subsection (e)

16 ~~(d)~~ of this section, the department will:

17 (1) make a fair share allocation of automated equipment available to that county to be

18 used by its county tax assessor-collector in implementing and operating RTS;

19 (2) provide the county tax assessor-collector with computer programs and personnel

20 training; and

21 (3) furnish official automated forms and, for the initial start-up of the system,

22 automated equipment supplies.

1 ~~(c)~~~~(b)~~ Additional automated equipment. At the request of the county tax assessor-collector of
2 a county, subject to the terms and conditions specified in subsection ~~(e)~~~~(d)~~ of this section, and for an
3 amount of consideration that will cover the department's costs, the department will enter into an
4 agreement with the commissioners court of that county under which the department will lease
5 automated equipment to that county in addition to the fair share allocation for that county. Leased
6 equipment will remain the property of the department and will be used primarily for RTS.

7 ~~(d)~~~~(c)~~ Automated Registration and Titling System fee. The department will collect an additional
8 fee of \$.50 for each registration for the purposes set forth in Transportation Code, §502.356. The fee
9 shall be deposited into a subaccount in the Texas Department of Motor Vehicles fund.

10 ~~(e)~~~~(d)~~ Conditions of availability.

11 (1) A county must:

12 (A) meet electrical power supply criteria specified by the department prior to
13 installation of the automated equipment;

14 (B) bear all costs incurred for 24-hour per day electrical power consumption for
15 operation of the equipment;

16 (C) provide for the physical security and protection of the equipment and shall
17 indemnify the department for any loss or damages to the equipment while in the custody and control of
18 the county;

19 (D) provide the department's maintenance personnel access to the equipment
20 during business hours of the involved county office; and

21 (E) notify the department not less than 30 working days prior to relocating or
22 adding automation equipment, or of the closing or remodeling of an office, that may affect automated
23 equipment operations.

1 (2) At the discretion of a county tax assessor-collector, automated equipment may be
2 located at sites other than those of the county tax assessor-collector, including privately owned, for-
3 profit enterprises performing registration and title functions for the county tax office. With regard to
4 equipment located at sites other than those of the county tax assessor-collector, the department's
5 responsibility will be limited to ensuring that the equipment remains operational. The county will be
6 responsible for all training, user support, forms, supplies, user policy and procedures, and other support
7 associated with this equipment.

8 (3) Automated equipment made available to a county pursuant to this section shall
9 remain the property of the department and must be used by the county tax assessor-collector for
10 operation of RTS; provided, however, that while not in RTS usage, the equipment may be utilized for
11 another statutory duty or function of that office.

12

13 §217.74. webDEALER Access, Use, and Training.

14 (a) Each county tax assessor-collector shall request access to, and accept title applications
15 submitted through, webDEALER. A county tax assessor-collector must utilize webDEALER in order to
16 accept a title application in the county as provided by subsections (b) and (c) of this section.

17 (b) Except as provided in subsection (c) of this section, a person who wishes to become a user of
18 webDEALER must contact each entity to whom they submit title applications for authorization to utilize
19 webDEALER. A user must receive authorization from each entity, including each county tax assessor-
20 collector, to whom the user submits title applications. Title applications submitted to the department
21 require the authorization by the department.

22 (c) A motor vehicle dealer who holds a general distinguishing number (holder) must contact
23 each county tax assessor-collector to whom they submit title applications for webDEALER access. The

1 county must provide the holder access. A holder must obtain access from each county to whom the user
2 submits title applications. [~~All active holders must obtain access to webDEALER in advance of July 1,~~
3 ~~2025. If a holder does not have webDEALER access by April 30, 2025, the department may provide the~~
4 ~~holder access to webDEALER in the county where the holder is located.]~~

5 (d) A county tax assessor-collector may authorize a deputy appointed by the county tax
6 assessor-collector in accordance with subchapter H of this chapter (relating to Deputies) to utilize
7 webDEALER.

8 (e) An entity or person authorized under subsection (b) of this section may have their
9 authorization to use webDEALER revoked, rescinded, or cancelled at any time, with no notice, at the
10 discretion of a county tax assessor-collector or the department.

11 (f) When submitting a title application through webDEALER, a user must:

12 (1) stamp the word "SURRENDERED" across the front face and the next open assignment
13 or reassignment space of any secure title document or other acceptable ownership evidence as
14 determined by the department in:

15 (A) arial font;

16 (B) black ink; and

17 (C) a size of 1/4" height x 2 1/4" length;

18 (2) retain the physical document described in paragraph (1) of this subsection for a
19 minimum of four calendar years from the date of submitting a scanned copy of the stamped title
20 document using the webDEALER system; and

21 (3) submit any documents required to be submitted with the title application with a
22 scanned resolution of at least 200 dots per inch (DPI).

1 (g) Required webDEALER training. Each user accessing webDEALER under the account of a
2 holder that is described under subsection (c) and required to process title and registration transactions
3 through webDEALER in accordance with Transportation Code, Section 520.0055, must complete
4 webDEALER training conducted by the department [~~by April 30, 2025~~]. New users [~~created on or after~~
5 ~~April 30, 2025,~~] must complete webDEALER training before being given webDEALER permissions.

6 (1) Required training will include, at a minimum, training regarding transactions
7 performed in webDEALER and proper use of the system.

8 [~~(2) A user who has had access to webDEALER for more than six months and submitted~~
9 ~~more than 100 transactions within the system as of October 1, 2024, is not required to take the~~
10 ~~webDEALER training under this section.~~]

11 ~~(2)~~[(3)] Failure for holders and users accessing webDEALER under the holder's account
12 to complete the required training as outlined in this section shall result in denial of access to
13 webDEALER.

14
15 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
16 §520.0093, which authorizes the department to lease automated registration and titling system
17 equipment to a county.

18 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code,
19 §520.0093, Lease of Computer Equipment.

20

21 **TEXT.**

22 [~~§217.73. Agreement Related to Automated Equipment.~~]

1 ~~[(a) Prior to receiving automated equipment pursuant to §217.72 of this title (relating to~~
2 ~~Automated Equipment for the Registration and Title System), a county must enter a written agreement~~
3 ~~with the department.]~~

4 ~~[(b) The agreement shall:]~~

5 ~~[(1) be in a form prescribed by the department;]~~

6 ~~[(2) include at a minimum each of the terms and conditions specified in §217.72;]~~

7 ~~[(3) be executed on behalf of the department by the executive director or the director's~~
8 ~~designee not below the level of Director of the Vehicle Titles and Registration Division; and]~~

9 ~~[(4) be approved by resolution or order of the commissioners court and executed on~~
10 ~~behalf of the county by the county judge and the county tax assessor collector.]~~

11

12 **SUBCHAPTER D. NONREPAIRABLE AND SALVAGE MOTOR VEHICLES**

13 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
14 Code, §501.0041, which gives the department authority to adopt rules to administer Transportation
15 Code, Chapter 501, Certificate of Title Act; Transportation Code, §501.0925, which authorizes the
16 department to adopt rules governing the issuance of titles to insurance companies; Transportation
17 Code, §501.097, which authorizes the department to prescribe the process and procedures for applying
18 for nonrepairable and salvage vehicle titles; and Transportation Code, §1002.001, which authorizes the
19 board to adopt rules that are necessary and appropriate to implement the powers and the duties of the
20 department, as well as the statutes referenced throughout this preamble.

21 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code
22 §§501.0041, 501.0925, 501.097, and 1002.001.

23

1 **TEXT.**

2 §217.83. Requirement for Nonrepairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of
3 Title.

4 (a) Determination of condition of vehicle.

5 (1) Salvage motor vehicle. When a vehicle is damaged, the actual cash value of the
6 motor vehicle immediately before the damage and the cost of repairs shall be used to determine
7 whether the damage is sufficient to classify the motor vehicle as a salvage motor vehicle.

8 (2) Nonrepairable motor vehicle. When a vehicle is damaged, the actual cash value of
9 the motor vehicle immediately before the damage and the cost of repairs, or any method commonly
10 used by the insurance industry, shall be used to determine whether the damage is sufficient to classify
11 the motor vehicle as a nonrepairable motor vehicle.

12 (3) The actual cash value of the motor vehicle is the market value of a motor vehicle as
13 determined:

14 (A) from publications commonly used by the automotive and insurance
15 industries to establish the values of motor vehicles; or

16 (B) if the entity determining the value is an insurance company, by any other
17 procedure recognized by the insurance industry, including market surveys, that is applied in a uniform
18 manner.

19 (4) The cost of repairs, including parts and labor, shall be determined by:

20 (A) using a manual of repair costs or other instrument that is generally
21 recognized and used in the motor vehicle industry to determine those costs; or

1 (B) an estimate of the actual cost of the repair parts and the estimated labor
2 costs computed by using hourly rate and time allocations that are reasonable and commonly assessed in
3 the repair industry in the community in which the repairs are performed.

4 (5) The cost of repairs does not include:

5 (A) the cost of:

6 (i) repairs related to gradual damage to a motor vehicle;

7 (ii) repairs related to hail damage; or

8 (iii) materials and labor for repainting or when the damage is solely to
9 the exterior paint of the motor vehicle; or

10 (B) sales tax on the total cost of repairs.

11 (b) Who must apply.

12 (1) An insurance company licensed to do business in this state that acquires ownership
13 or possession of a nonrepairable or salvage motor vehicle that is covered by a title issued by this state or
14 a manufacturer's certificate of origin shall obtain a nonrepairable or salvage vehicle title or
15 nonrepairable or salvage record of title, as provided by §217.84 of this title (relating to Application for
16 Nonrepairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of Title), before selling or
17 otherwise transferring the nonrepairable or salvage motor vehicle, except as provided by subsection (c)
18 of this section.

19 (2) A salvage vehicle dealer shall obtain a Nonrepairable or Salvage Vehicle Title or
20 Nonrepairable or Salvage Record of Title, or comparable out-of-state ownership document, before
21 selling or otherwise transferring the motor vehicle, except as provided by §217.88(b) of this title
22 (relating to Sale, Transfer, or Release of Ownership of a Nonrepairable or Salvage Motor Vehicle).

1 (3) A person, as described by Transportation Code, §501.095(b)~~[other than an insurance~~
2 ~~company or salvage vehicle dealer, who acquires ownership of a nonrepairable or salvage motor vehicle~~
3 ~~that has not been issued a nonrepairable vehicle title, a salvage vehicle title, or a comparable out-of-~~
4 ~~state ownership document]~~, shall obtain a nonrepairable or salvage vehicle title or nonrepairable or
5 salvage record of title, as provided by §217.84, before selling or otherwise transferring the motor
6 vehicle, unless the motor vehicle will be dismantled, scrapped, or destroyed.

7 (c) Owner-retained vehicles.

8 (1) An insurance company shall comply with the requirements of Transportation Code,
9 §501.1002 for owner retained vehicles that includes submitting the information specified in
10 Transportation Code, §501.1002(a)(1) to the department on a prescribed form through
11 webDealer.~~[When an insurance company pays a claim on a nonrepairable or salvage motor vehicle and~~
12 ~~does not acquire ownership of the motor vehicle, the company shall submit through webDEALER to the~~
13 ~~department before the 31st day after the date of the payment of the claim, on a form prescribed by the~~
14 ~~department, a report stating that:]~~

15 ~~[(A) the insurance company has paid a claim on the nonrepairable or salvage~~
16 ~~motor vehicle; and]~~

17 ~~[(B) the insurance company has not acquired ownership of the nonrepairable or~~
18 ~~salvage motor vehicle.]~~

19 (2) Upon receipt of the report described in paragraph (1)~~[(2)]~~ of this subsection, the
20 department will place an appropriate notation on the motor vehicle record to prevent registration and
21 transfer of ownership prior to the issuance of a salvage or nonrepairable vehicle title or salvage or
22 nonrepairable record of title.

1 (3) The owner who retained the nonrepairable or salvage motor vehicle to which this
2 subsection applies shall obtain a nonrepairable or salvage vehicle title or nonrepairable or salvage
3 record of title, as provided by §217.84, before selling or otherwise transferring the nonrepairable or
4 salvage motor vehicle.

5 (4) The owner of an owner retained nonrepairable or salvage motor vehicle may not
6 operate or permit operation of the motor vehicle on a public highway, until the motor vehicle is rebuilt,
7 titled as a rebuilt salvage motor vehicle or rebuilt nonrepairable motor vehicle, if applicable, and is
8 registered in accordance with Subchapter B of this chapter.

9 (d) Self-insured vehicles. The owner of a nonrepairable or salvage motor vehicle that is self-
10 insured and that has been removed from normal operation by the owner shall apply to the department
11 for a nonrepairable or salvage vehicle title or nonrepairable or salvage record of title, as provided by
12 §217.84, before the 31st day after the damage occurred, and before selling or otherwise transferring
13 ownership of the nonrepairable or salvage motor vehicle.

14 (e) Casual sales. A salvage vehicle dealer, salvage pool operator, or insurance company that
15 acquires a nonrepairable or salvage motor vehicle shall apply to the department for a nonrepairable or
16 salvage vehicle title or nonrepairable or salvage record of title, in accordance with §217.84, prior to
17 offering the motor vehicle for sale in a casual sale.

18 (f) Export-only vehicles. A salvage vehicle dealer, including a salvage pool operator acting as
19 agent for an insurance company, or governmental entity that acquires a nonrepairable or salvage motor
20 vehicle and offers it for sale to a non-United States resident shall apply to the department for a
21 nonrepairable or salvage vehicle title, as provided by §217.84, before selling or otherwise transferring
22 the nonrepairable or salvage motor vehicle and before delivery of the nonrepairable or salvage motor

1 vehicle to the buyer. A salvage vehicle dealer or governmental entity shall maintain records of all export-
2 only nonrepairable or salvage motor vehicle sales as provided by §217.88(g).

3 (g) Voluntary application. A person who owns or acquires a motor vehicle that is not a
4 nonrepairable or salvage motor vehicle may voluntarily, and on proper application, as provided by
5 §217.84, apply for a nonrepairable or salvage vehicle title or nonrepairable or salvage record of title.

6
7 §217.84. Application for Nonrepairable or Salvage Vehicle Title or Nonrepairable or Salvage Record of
8 Title.

9 (a) Place of application. The owner of a nonrepairable or salvage motor vehicle who is required
10 to obtain or voluntarily chooses to obtain a nonrepairable or salvage vehicle title, as provided by
11 §217.83 of this title (relating to Requirement for Nonrepairable or Salvage Vehicle Title or Nonrepairable
12 or Salvage Record of Title), shall apply for a nonrepairable or salvage vehicle title or nonrepairable or
13 salvage record of title by submitting an application, the required accompanying documentation, and the
14 statutory fee to the department.

15 (b) Information on application. An applicant for a nonrepairable or salvage vehicle title or
16 nonrepairable or salvage record of title shall submit an application on a form prescribed by the
17 department. A completed form, in addition to any other information required by the department, must
18 include:

19 (1) the name and current address of the owner;

20 (2) a description of the motor vehicle, including the model year, make, body style, and
21 vehicle identification number;

22 (3) a statement describing whether the motor vehicle is a nonrepairable or salvage
23 motor vehicle;

1 (4) whether the damage was caused exclusively by flood;

2 (5) a description of the damage to the motor vehicle;

3 (6) the odometer reading and brand, or the word "exempt" if the motor vehicle is
4 exempt from federal and state odometer disclosure requirements, if the motor vehicle is a salvage
5 motor vehicle;

6 (7) the name and mailing address of any lienholder and the date of lien, as provided by
7 subsection (e) of this section; and

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

10 (c) Accompanying documentation. A nonrepairable or salvage vehicle title or nonrepairable or
11 salvage record of title application must be supported, at a minimum, by:

12 (1) evidence of ownership, as described by subsection (d)(1) or (3) of this section, if the
13 applicant is an insurance company that is unable to locate one or more of the owners;

14 (2) an odometer disclosure statement properly executed by the seller of the motor
15 vehicle and acknowledged by the purchaser, if the motor vehicle is less than 10 model years old and the
16 motor vehicle is a salvage motor vehicle; and

17 (3) a release of any liens.

18 (d) Evidence of nonrepairable or salvage motor vehicle ownership.

19 (1) Evidence of nonrepairable or salvage motor vehicle ownership properly assigned to
20 the applicant must accompany the application for a nonrepairable or salvage vehicle title or
21 nonrepairable or salvage record of title, except as provided by paragraph (2) of this subsection. Evidence
22 must include documentation sufficient to show ownership to the nonrepairable or salvage motor
23 vehicle, such as:

- 1 (A) a Texas Title;
- 2 (B) a certified copy of a Texas Title;
- 3 (C) a manufacturer's certificate of origin;
- 4 (D) a Texas Salvage Certificate;
- 5 (E) a nonrepairable vehicle title or record of title;
- 6 (F) a salvage vehicle title or record of title;
- 7 (G) a comparable ownership document issued by another jurisdiction, except
- 8 that if the applicant is an insurance company, evidence must be provided indicating that the insurance
- 9 company is:
- 10 (i) licensed to do business in Texas; or
- 11 (ii) not licensed to do business in Texas, but has paid a loss claim for the
- 12 motor vehicle in this state; or
- 13 (H) a photocopy of the inventory receipt or a title and registration verification
- 14 evidencing surrender to the department of the negotiable evidence of ownership for a motor vehicle as
- 15 provided by §217.86 of this title (relating to Dismantling, Scrapping, or Destruction of Motor Vehicles),
- 16 and if the evidence of ownership surrendered was from another jurisdiction, a photocopy of the front
- 17 and back of the surrendered evidence of ownership.
- 18 (2) An insurance company ~~[that acquires ownership or possession of a nonrepairable or~~
- 19 ~~salvage motor vehicle through payment of a claim]~~ may apply for a nonrepairable or salvage vehicle title
- 20 consistent with Transportation Code, §501.0925. ~~[to be issued in the insurance company's name without~~
- 21 ~~obtaining an ownership document or if it received an ownership document without the proper~~
- 22 ~~assignment of the owner if the company is unable to obtain a title from the owner, in accordance with~~

1 ~~paragraph (1) of this subsection, and the application is not made earlier than the 30th day after the date~~
2 ~~of payment of the claim. The application must also include:]~~

3 ~~[(A) a statement that the insurance company has provided at least two written~~
4 ~~notices to the owner and any lienholder attempting to obtain the title or proper assignment of title for~~
5 ~~the motor vehicle;]~~

6 ~~[(B) a statement that the insurance company paid a loss claim for the vehicle~~
7 ~~that was accepted; and]~~

8 ~~[(C) any unassigned or improperly assigned title in the insurance company's~~
9 ~~possession.]~~

10 ~~[(3) An insurance company that acquires, through payment of a claim, ownership or~~
11 ~~possession of a salvage motor vehicle or nonrepairable motor vehicle covered by an out-of-state~~
12 ~~ownership document may obtain a salvage or nonrepairable vehicle title or salvage or nonrepairable~~
13 ~~record of title in accordance with paragraph (1) or (2) of this subsection if:]~~

14 ~~[(A) the motor vehicle was damaged, stolen, or recovered in this state; or]~~

15 ~~[(B) the motor vehicle owner from whom the company acquired ownership~~
16 ~~resides in this state.]~~

17 ~~(3)~~~~(4)~~ A salvage pool operator may apply for title consistent with Transportation Code,
18 §501.0935.

19 ~~(4)~~~~(5)~~ Proof of notice under Transportation Code, §501.0935 ~~[this subsection]~~ consists
20 of:

21 (A) the validated receipts for registered or certified mail and return receipt or an
22 electronic certified mail receipt, including signature receipt; and

1 (B) any unopened certified letters returned by the post office as unclaimed,
2 undeliverable, or with no forwarding address.

3 (e) Recordation of lien on nonrepairable and salvage vehicle titles. If the motor vehicle is a
4 salvage motor vehicle, a new lien or a currently recorded lien may be recorded on the salvage vehicle
5 title. If the motor vehicle is a nonrepairable motor vehicle, only a currently recorded lien may be
6 recorded on the nonrepairable vehicle title.

7 (f) Issuance. Upon receipt of a completed nonrepairable or salvage vehicle title application,
8 accompanied by the statutory application fee and the required documentation, the department will,
9 before the sixth business day after the date of receipt, issue a nonrepairable or salvage vehicle title or
10 nonrepairable or salvage record of title, as appropriate.

11 (1) If the condition of salvage is caused exclusively by flood, a "Flood Damage" notation
12 will be reflected on the face of the document and will be carried forward upon subsequent title
13 issuance.

14 (2) If a lien is recorded on a nonrepairable or salvage vehicle title, the vehicle title will be
15 mailed to the lienholder. For proof of ownership purposes, the owner will be mailed a receipt or
16 printout of the newly established motor vehicle record, indicating a lien has been recorded.

17 (3) A nonrepairable vehicle title will state on its face that the motor vehicle may:

18 (A) not be repaired, rebuilt, or reconstructed;

19 (B) not be issued a regular title or registered in this state;

20 (C) not be operated on a public highway; and

21 (D) may only be used as a source for used parts or scrap metal.

22

1 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code,
2 §501.0041, which gives the department authority to adopt rules to administer Transportation Code,
3 Chapter 501, Certificate of Title Act; and Transportation Code, §1002.001, which authorizes the board to
4 adopt rules that are necessary and appropriate to implement the powers and the duties of the
5 department as well as the statutes referenced throughout this preamble.

6
7 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code,
8 §§501.0041 and 1002.001.

9
10 **TEXT.**

11 [~~§217.81. Purpose and Scope.~~]

12 [~~Transportation Code, Chapter 501, Subchapter E, charges the department with the~~
13 ~~responsibility of issuing titles for nonrepairable and salvage motor vehicles and titles for rebuilt salvage~~
14 ~~motor vehicles. For the department to efficiently and effectively issue the vehicle titles, maintain~~
15 ~~records, collect the applicable fees, and ensure the proper application by motor vehicle owners, this~~
16 ~~subchapter prescribes the policies and procedures for the application for and issuance of vehicle titles~~
17 ~~for nonrepairable and salvage motor vehicles, and titles for rebuilt salvage motor vehicles.]~~

18

19 **SUBCHAPTER F. MOTOR VEHICLE RECORDS**

20 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
21 Code §730.014, which authorizes the department to adopt rules to administer Transportation Code
22 Chapter 730, Motor Vehicle Records Disclosure Act; and Transportation Code §1002.001, which

1 authorizes the board to adopt rules that are necessary and appropriate to implement the powers and
2 duties of the department, as well as the statutes referenced throughout this preamble.

3 **CROSS REFERENCE BY STATUTE.** The proposed amendments would implement Transportation Code
4 §§730.014, and 1002.001.

5

6 **TEXT.**

7 §217.122. Definitions.

8 (a) Words and terms defined in Transportation Code, Chapter 730 have the same meaning when
9 used in this subchapter, unless the context clearly indicates otherwise.

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

12 (1) Department--Texas Department of Motor Vehicles.

13 (2) Requestor--A person as defined by Transportation Code, §730.003(5), this state, or
14 an agency of this state seeking personal information contained in motor vehicle records directly from
15 the department.

16 (3) Service agreement--A contractual agreement with the department that allows a
17 requestor electronic motor vehicle records.

18 (4) Written request--A request submitted in writing, including by mail, electronic mail,
19 electronic media, and facsimile transmission.

20 (5) Signature--Includes an electronic signature, as defined by Transportation Code
21 §501.172, to the extent the department accepts such electronic signature.

22 (6) Batch Inquiry--Access, under a service agreement, to department motor vehicle
23 records associated with Texas license plate numbers or vehicle identification numbers, where requests

1 are submitted electronically to the department in a prescribed batch format. The department makes a
2 disclosure for each record in a batch.

3 (7) MVI~~net~~ Access--Electronic access, under a service agreement, to the department's
4 motor vehicle registration and title database, with the ability to query records by a Texas license plate
5 number, vehicle identification number, placard number, or current or previous document number. The
6 department makes a disclosure each time a query of the system is made.

7 (8) Bulk--A disclosure by the department under Transportation Code §730.007 of at
8 least 250 motor vehicle records containing personal information, including any of the files defined by
9 subsection (b)(10) - (13) of this section.

10 (9) Bulk contract--A contractual agreement with the department for the disclosure of
11 motor vehicle records in bulk to the requestor.

12 (10) Master File--A bulk file containing all the department's active and inactive
13 registration and title records.

14 (11) Weekly Updates--A bulk file containing the department's new and renewed vehicle
15 registration and title records from the previous week.

16 (12) Specialty Plates File--A bulk file containing Texas specialty license plate records.

17 (13) ePLATE file-- Three separate bulk files, one containing records of license plates a
18 dealer has assigned to vehicles in their inventory for specific uses, one containing records of license
19 plates issued by dealers for vehicles sold to out-of-state buyers, and one containing records related to
20 new or updated licensed plates issued by dealers for vehicles sold to in-state buyers and vehicle transfer
21 notifications.~~[eTAG File-- A bulk file containing records related to new or updated eTAGs, vehicle transfer~~
22 ~~notifications, and plate to owner records.]~~

1 (14) Dealer/Supplemental File--A pair of files, one containing records of registration and
2 title transactions processed by dealers with the department during the previous week and another
3 containing the dealers' information, that are only available as a supplement to a bulk contract that
4 includes the Weekly Updates.

5

6 §217.124. Cost of Motor Vehicle Records.

7 (a) Standard costs. The department will charge fees in accordance with Government Code
8 Chapter 552 and the cost rules promulgated by the Office of the Attorney General in 1 Texas
9 Administrative Code Chapter 70 (relating to Cost of Copies of Public Information).

10 (b) Law enforcement. An employee of a state, federal, or local law enforcement agency is
11 exempt from the payment of fees for motor vehicle records in subsection (c)(1) - (4) of this section if the
12 records are necessary to carry out lawful functions of the law enforcement agency.

13 (c) Motor vehicle record costs:

14 (1) Title history - \$5.75;

15 (2) Certified title history - \$6.75;

16 (3) Title and registration verification (record search) - \$2.30; and

17 (4) Certified title and registration verification (record search) - \$3.30.

18 (d) Electronic motor vehicle records and files:

19 (1) Master File - \$5,000 plus \$.38 per 1,000 records;

20 (2) Weekly Updates - deposit of \$1,755 and \$135 per week;

21 (3) ePLATE file[eTAG File] - deposit of \$845 and \$65 per week;

22 (4) Dealer/Supplemental File - deposit of \$1,235 and \$95 per week;

23 (5) Specialty Plates File - deposit of \$1,235 and \$95 per week;

1 (6) Batch Inquiry - deposit of \$1,000, minimum balance of \$750 and \$23 per run plus
2 \$.12 per record;

3 (7) MVInet Access - deposit of \$200, minimum balance of \$150 and \$23 per month plus
4 \$.12 per record; and

5 (8) Scofflaw remarks (inquiry, addition, or deletion) - deposit of \$500, minimum balance
6 of \$350 and \$23 per run plus \$.12 per record.

7 (e) Texas governmental entities, as defined in Government Code §2252.001, the Texas Law
8 Enforcement Telecommunication System, toll project entities, as defined by Transportation Code
9 §372.001, and federal governmental entities are exempt from the payment of fees, except for the fees
10 listed in subsection (d)(1), (6), or (8) of this section.

11 (f) Reciprocity agreements. The department may enter into a reciprocity agreement for records
12 access with another governmental entity that may waive some or all of the fees established in this
13 section.

14

15 §217.125. Additional Documentation Related to Certain Permitted Uses.

16 (a) The department may require a requestor to provide reasonable assurance as to the identity
17 of the requestor and that the use of motor vehicle records is only as authorized under Transportation
18 Code §730.012(a). Where applicable, each requestor submitting a request for motor vehicle records
19 shall provide documentation satisfactory to the department that they are authorized to request the
20 information on behalf of the organization, entity, or government agency authorized to receive the
21 information.

22 (b) Requestors seeking personal information from motor vehicle records from the department
23 for a permitted use listed in this subsection must submit additional documentation.

1 (1) A request under Transportation Code §730.007(a)(2)(B)(ii) must include proof of a
2 complaint submitted to a law enforcement agency or a report created by a law enforcement agency
3 describing a complaint of a motor vehicle theft that includes the year, make, model and vehicle
4 identification number of the motor vehicle.

5 (2)[(1)] A request under Transportation Code §730.007(a)(2)(C) must include the
6 personal information the business is attempting to verify against the department's motor vehicle
7 records and documentation sufficient to prove the requestor is a business actively licensed by,
8 registered with, or subject to regulatory oversight by a government agency.

9 (3)[(2)] A request under Transportation Code §730.007(a)(2)(D) must include proof of a
10 legal proceeding, or if no proceeding has been initiated, proof the requestor is in anticipation of
11 litigation relating to the request which would necessitate release of the document(s) requested.

12 (4)[(3)] A request under Transportation Code §730.007(a)(2)(E) must include
13 documentation sufficient to prove the requestor is employed by an entity in the business of conducting
14 research related to the requested information and demonstrating the employment relationship. The
15 department has discretion in determining whether the entity is in the business of conducting research
16 related to the requested information and in determining whether the documentation provided is
17 sufficient to demonstrate an employment relationship.

18 (5)[(4)] A request under Transportation Code §730.007(a)(2)(F) must include an active
19 license number provided by the Texas Department of Insurance or an active out-of-state license number
20 provided by the relevant regulatory authority, an active license number the insurance support
21 organization is working under, or proof of self-insurance.

1 ~~(6)~~~~(5)~~ A request under Transportation Code §730.007(a)(2)(G) must include an active
2 license number provided by the Texas Department of Licensing and Regulation or an active out-of-state
3 license number provided by the relevant regulatory authority.

4 ~~(7)~~~~(6)~~ A request under Transportation Code §730.007(a)(2)(H) must include an active
5 license number provided by the Texas Department of Public Safety or an active out-of-state license
6 number provided by the relevant regulatory authority.

7 ~~(8)~~~~(7)~~ A request under Transportation Code §730.007(a)(2)(I) must include a copy of an
8 active commercial driver's license.

9 ~~(9)~~~~(8)~~ A request under Transportation Code §730.007(a)(2)(J) must include
10 documentation to relate the requested personal information with the operation of a toll transportation
11 facility or another type of transportation project as described by Transportation Code §370.003.

12 ~~(10)~~~~(9)~~ A request under Transportation Code §730.007(a)(2)(K) must include
13 documentation on official letterhead indicating a permitted use for personal information, as defined by
14 the Fair Credit Reporting Act (15 U.S.C. §1681 et. Seq.).

15 ~~(11)~~~~(10)~~ A request under Transportation Code §730.007(a)(2)(L) must include an active
16 license number of a manufacturer, dealership, or distributor issued by the department or an active out-
17 of-state license number provided by the relevant regulatory authority.

18 ~~(12)~~~~(11)~~ A request under Transportation Code §730.007(a)(2)(M) must include an
19 active license or registration number of a salvage vehicle dealer, an independent motor vehicle dealer,
20 or a wholesale motor vehicle dealer issued by the department; or an active license issued by the Texas
21 Department of Licensing and Regulation to a used automotive parts recycler; or other proof that the
22 requestor is subject to regulatory oversight by an entity listed in Transportation Code
23 §730.007(a)(2)(M)(iv).

1 (c) The department may require a requestor to provide additional information to clarify the
2 requestor's use of the personal information under Transportation Code Chapter 730, if the reasonable
3 assurances provided with the request are not satisfactory to the department.

4

5 §217.126. Limitations on Redisclosure.

6 (a) Authorized recipients may only redisclose personal information consistent with
7 Transportation Code §730.013 ~~[from department motor vehicle records to other authorized recipients~~
8 ~~and not in the identical or substantially identical format as disclosed by the department].~~

9 (b) The department may request information regarding how a person to whom the authorized
10 recipient may redisclose personal information represents to the authorized recipient that the person has
11 a permitted use under Transportation Code §730.007.

12 ~~[(c) Any authorized recipient redisclosing personal information from department motor vehicle~~
13 ~~records must inform the person to whom they are redisclosing of their obligations under Transportation~~
14 ~~Code Chapter 730 and this subchapter.]~~

15 (c)~~[(d)]~~ An authorized recipient who resold personal information from department motor vehicle
16 records prior to June 18, 2021, is subject to the limitations in this section for that resale.

17

18 217.127. Records Maintained by Recipients Who Rediscover Personal Information.

19 (a) Authorized recipients who redisclose personal information from department motor vehicle
20 records are required to maintain records of that transaction for a period not less than five years and
21 must include:[-]

22 ~~[(b)] [Records must be maintained for not less than five years and must include:]~~

1 (1) the name and contact information of any person to whom the authorized recipient
2 redisclosed personal information from the department motor vehicle records, including both the
3 individual's name and the organization or entity with which the individual is associated, when known;

4 (2) the person's permitted use under Transportation Code §730.007 for the personal
5 information from the department motor vehicle records, and any documentation the authorized
6 recipient received related to the person's permitted use;

7 (3) the quantity of motor vehicle records redisclosed to the person under each
8 permitted use;

9 (4) a statement specifying what data was redisclosed and in what format; and

10 (5) documentation of any agreement between the authorized recipient and the person
11 to whom the authorized recipient redisclosed personal information from department motor vehicle
12 records.

13 (b)~~(c)~~ An authorized recipient who resold personal information from department motor vehicle
14 records prior to June 18, 2021, must maintain records of those transactions for five years.

15

16 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
17 §730.014, which authorizes the department to adopt rules to administer Transportation Code Chapter
18 730, Motor Vehicle Records Disclosure Act; and Transportation Code §1002.001, which authorizes the
19 board to adopt rules that are necessary and appropriate to implement the powers and duties of the
20 department, as well as the statutes referenced throughout this preamble.

21 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
22 §§730.014, and 1002.001.

23

1 **TEXT.**

2 [~~§217.121. Purpose and Scope.~~]

3 [~~It is the policy of the Texas Department of Motor Vehicles to protect the confidentiality of motor~~
4 ~~vehicle record information.~~]

5

6

SUBCHAPTER G. INSPECTIONS

7 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation

8 Code, §731.002, which authorizes the board to adopt rules to administer Transportation Code, Chapter

9 731, Assembled Vehicles; Transportation Code, §731.101, which provides that the board by rule

10 establish procedures and requirements for the inspection of assembled vehicles; and Transportation

11 Code, §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to

12 implement the powers and the duties of the department, as well as the statutes referenced throughout

13 this preamble.

14 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code

15 §§731.002, 731.101 and 1002.001.

16

17 **TEXT.**

18 §217.143. Inspection Requirements

19 (a) On initial titling of an assembled vehicle under Transportation Code Chapter 731, and

20 Subchapter L of this title (relating to Assembled Vehicles), with the exception of an assembled

21 motorcycle, assembled trailer, and glider kit, an applicant must provide proof, on a form prescribed by

22 the department, of a safety inspection performed by a master technician.

1 ~~[(b) In addition to the requirement under subsection (a) of this section, an owner applying for~~
2 ~~initial registration of a custom vehicle or street rod must provide proof, on a form prescribed by the~~
3 ~~department, of a safety inspection performed by a master technician under this section as required~~
4 ~~under Transportation Code §504.501(e).]~~

5 (b)~~[(e)]~~ The inspection must meet the minimum requirements under Transportation Code,
6 §731.102 to evaluate the structural integrity and proper function of the equipment.

7 (c)~~[(d)]~~ The inspector must certify that:

8 (1) the vehicle and equipment are structurally stable;

9 (2) the vehicle and equipment meet the necessary conditions to be operated safely on
10 the roadway;

11 (3) equipment used in the construction of the vehicle, for which a federal motor vehicle
12 safety standard exists, complies with the applicable standard; and

13 (4) if the vehicle is a custom vehicle or street rod, the vehicle is equipped and
14 operational with all equipment required by statute as a condition of sale during the year the vehicle was
15 manufactured or resembles.

16 (d)~~[(e)]~~ The inspection of an assembled vehicle required under subsection (a) of this section is in
17 addition to all other required inspections including an inspection required under Transportation Code
18 Chapter 548.

19 (e)~~[(f)]~~ The applicant must pay all fees to the master technician for the inspection of an
20 assembled vehicle required under subsection (a) of this section, including any reinspection.

21 (f)~~[(g)]~~ In addition to the fees in subsection (f) of this section, the applicant must pay all
22 applicable fees for other required inspections as required by law, including any applicable inspection or
23 reinspection required under Transportation Code Chapter 548.

1

2 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code,
3 §501.0041, which gives the department authority to adopt rules to administer Transportation Code,
4 Chapter 501, Certificate of Title Act; Transportation Code, §731.002, which authorizes the board to
5 adopt rules to administer Transportation Code, Chapter 731, Assembled Vehicles; Transportation Code,
6 §731.101, which provides the board by rule establish procedures and requirements for the inspection of
7 assembled vehicles; and Transportation Code, §1002.001, which authorizes the board to adopt rules
8 that are necessary and appropriate to implement the powers and the duties of the department as well
9 as the statutes referenced throughout this preamble.

10 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
11 §§501.0041, 731.002, 731.101, and 1002.001.

12

13 **TEXT.**

14 [~~§217.141. Purpose and Scope.~~]

15 [~~This subchapter prescribes the policies and procedures necessary to protect the public by~~
16 ~~requiring inspection of assembled vehicles, accurately identify the identity of a motor vehicle, and~~
17 ~~provides department approved training programs which if successfully completed qualify a person to~~
18 ~~conduct vehicle identification number inspections.~~]

19

20

SUBCHAPTER H. DEPUTIES

21 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
22 §520.003, which authorizes the department to adopt rules to administer Transportation Code, Chapter
23 520, Miscellaneous Provisions; Transportation Code, §520.0071, which provides that the board by rule

1 shall prescribe the classification types of deputies performing titling and registration duties; the duties
2 and obligations of deputies; the type and amount of any bonds that may be required by a county
3 assessor-collector for a deputy to perform titling and registration duties; and the fees that may be
4 charged or retained by deputies, and Transportation Code, §1002.001, which authorizes the
5 department to adopt rules that are necessary and appropriate to implement the powers and the duties
6 of the department as well as the statutes referenced throughout this preamble.

7 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
8 §§520.003; 520.0071, and 1002.001.

9
10 **TEXT.**

11 [~~§217.161. Purpose and Scope.~~]

12 [~~Pursuant to Transportation Code, §520.0071, a county tax assessor collector, with the approval of the~~
13 ~~commissioners court of the county, may appoint deputies to perform designated motor vehicle titling~~
14 ~~and registration services. This subchapter prescribes the classification types, duties, and obligations of~~
15 ~~deputies; the type and amount of any bonds that deputies may be required to post; and the fees that~~
16 ~~deputies may be authorized to charge or retain. All deputies must be deputized in accordance with and~~
17 ~~comply with the provisions of this subchapter.~~]

18

19 **SUBCHAPTER I. PROCESSING AND HANDLING FEES.**

20 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
21 §502.0021, which gives the department authority to adopt rules to administer Transportation Code
22 Chapter 502, Registration of Vehicles; and Transportation Code §1002.001, which authorizes the board

1 to adopt rules that are necessary and appropriate to implement the powers of the department, as well
2 as the statutes throughout this preamble.

3 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
4 §§502.0021 and 1002.001

5

6 **TEXT.**

7 [~~§217.181. Purpose and Scope.~~]

8 [This subchapter prescribes the processing and handling fees authorized by Transportation
9 Code, §502.1911, which include the fee established under Transportation Code, §502.356(a), and are
10 sufficient to cover the expenses associated with collecting registration fees by the department, a county
11 tax assessor-collector, a private entity with which a county tax assessor-collector contracts under
12 Transportation Code, §502.197, or a deputy assessor-collector that is deputized in accordance with
13 Subchapter H of this chapter (relating to Deputies).]

14

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

16 **STATUTORY AUTHORITY.** The department proposes amendments to Chapter 217 under Transportation
17 Code §520.003, which authorizes the department to adopt rules to administer Transportation Code
18 Chapter 520, Miscellaneous Provisions; Transportation Code §520.004, which authorizes the
19 department by rule to establish standards for uniformity and service quality for counties; and
20 Transportation Code §1002.001, which authorizes the board to adopt rules that are necessary and
21 appropriate to implement the powers and duties of the department, as well as the statutes referenced
22 throughout this preamble.

1 **CROSS REFERENCE TO STATUTE.** The proposed amendments would implement Transportation Code
2 §§520.003, 520.004, and 1002.001.

3

4 **TEXT.**

5 §217.204. Applications.

6 (a) Application deadline. A ~~[if a]~~ county tax assessor-collector may ~~[chooses to]~~ apply for a
7 recognition level or ~~[to apply for]~~ a higher level of recognition under the Performance Quality
8 Recognition Program by submitting ~~[, the county tax assessor-collector must submit]~~ an application to
9 the department during their ~~[any year of the county tax assessor-collector's]~~ term of office. The
10 application must be received by the department or postmarked no later than October 31st.

11 (b) Application from a successor county tax assessor-collector. A successor county tax assessor-
12 collector is not eligible for a recognition level until after serving as the county tax assessor-collector
13 during an entire state fiscal year, which is September 1st through August 31st.

14 (c) Application for a higher level of recognition.

15 (1) If a county tax assessor-collector obtains a recognition level and chooses to apply for
16 a higher level of recognition during the term of the existing recognition level, the county tax assessor-
17 collector is not eligible to apply for a higher level until after serving as the county tax assessor-collector
18 during an entire state fiscal year subsequent to the state fiscal year for which the existing recognition
19 level was awarded.

20 (2) If the department demotes a county tax assessor-collector's recognition level, the
21 county tax assessor-collector is not eligible to apply for a higher level of recognition until after serving as
22 the county tax assessor-collector during an entire state fiscal year subsequent to the state fiscal year
23 during which the existing recognition level was demoted.

1 (d) Application for a recognition level after revocation of recognition level. If the department
2 revokes a county tax assessor-collector's recognition level, the county tax assessor-collector is not
3 eligible to apply for a recognition level until after serving as the county tax assessor-collector during an
4 entire state fiscal year subsequent to the state fiscal year during which the recognition level was
5 revoked.

6 (e) Application form. The application must be submitted on a form prescribed by the
7 department.

8 (f) Signature on application. The county tax assessor-collector must sign the application.

9 (g) Additional information, documentation, or clarification. At the department's discretion, the
10 department may request additional information, documentation, or clarification from the county tax
11 assessor-collector after the department receives an application. The department shall provide the
12 county tax assessor-collector with a deadline to respond to the request.

13

14 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
15 §520.003, which authorizes the department to adopt rules to administer Transportation Code Chapter
16 520, Miscellaneous Provisions; Transportation Code §520.004, which authorizes the department by rule
17 to establish standards for uniformity and service quality for counties; and Transportation Code
18 §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to implement
19 the powers and duties of the department, as well as the statutes referenced throughout this preamble.

20 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
21 §§520.003, 520.004, and 1002.001.

22

23 **TEXT.**

1 ~~[\$217.201. Purpose and Scope.]~~

2 ~~[Transportation Code, §520.004, requires the department to establish standards for uniformity~~
3 ~~and service quality for counties. This subchapter prescribes the procedures and general criteria the~~
4 ~~department will use to establish and administer a voluntary program called the Performance Quality~~
5 ~~Recognition Program. The department will use the Performance Quality Recognition Program to~~
6 ~~recognize county tax assessor-collectors and their offices for outstanding performance and efficiency in~~
7 ~~processing title and registration transactions.]~~

8

9

SUBCHAPTER K. ELECTRONIC SIGNATURES

10

11 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
12 §501.0041, which authorizes the department to adopt rules to administer Transportation Code, Chapter
13 501, Certificate of Title Act; Transportation Code, §501.174, which provides the department by rule
14 establish a process to accept electronic signatures on secure documents that have been electronically
15 signed through a system not controlled by the department; and Transportation Code §1002.001, which
16 authorizes the board to adopt rules that are necessary and appropriate to implement the powers and
17 duties of the department, as well as the statutes referenced throughout this preamble.

18 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
19 §§501.0041, 501.174, and 1002.001.

20

21 **TEXT.**

22 ~~[\$217.301. Purpose and Scope.]~~

1 ~~[Transportation Code, §501.174, requires the department to establish a process to accept~~
2 ~~electronic signatures on secure documents that have been electronically signed through a system not~~
3 ~~controlled by the department. 1 TAC §203.20 (relating to Guidelines) requires state government~~
4 ~~agencies that send and accept electronic records and electronic signatures to and from other persons~~
5 ~~and to state agencies that otherwise create, generate, communicate, store, process, use, and rely upon~~
6 ~~electronic records and electronic signatures to comply with Guidelines for the Management of~~
7 ~~Electronic Transactions and Signed Records. This subchapter prescribes the policies and procedures for~~
8 ~~the acceptance of electronic signatures on secure documents and the use and acceptance of electronic~~
9 ~~signatures on non-secure documents.]~~

10

11

SUBCHAPTER L. ASSEMBLED VEHICLES

12

STATUTORY AUTHORITY. The department proposes amendments to Chapter 217 under Transportation
13 Code §731.002, which authorizes the board to adopt rules to administer Transportation Code Chapter
14 731, Assembled Vehicles; Transportation Code, §731.052, which provides the board by rule shall
15 establish procedures and requirements for issuance of a title for and registration of an assembled
16 vehicle; and Transportation Code §1002.001, which authorizes the board to adopt rules that are
17 necessary and appropriate to implement the powers and duties of the department, as well as the
18 statutes referenced throughout this preamble.

19

CROSS REFERENCE TO STATUTE. The proposed amendments would implement Transportation Code
20 §§731.002, 731.052, and 1002.001.

21

22

TEXT.

23

§217.402. Definitions.

1 (a) The definitions in Transportation Code §731.001, apply to this subchapter.

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

4 (1) Applicant--a person applying for title to an assembled vehicle who:

5 (A) is a hobbyist;

6 (B) is the owner of an assembled vehicle that has not been previously titled as
7 an assembled vehicle; or

8 (C) purchased an assembled vehicle constructed and designated by the
9 manufacturer as a replica, custom vehicle, street rod, or glider kit.

10 (2) Basic component part--the motor, body, and frame of an assembled vehicle, as
11 applicable to the type of assembled vehicle. This term is a subset of "major component part" as defined
12 in Transportation Code §501.091, but the term "basic component part" is not applicable in determining
13 whether a vehicle qualifies as a custom vehicle or street rod under Transportation Code §504.501(f),
14 which is the purpose of the term "major component part."

15 (3) Continuous sale--is offering for sale or the sale of five or more assembled vehicles of
16 the same type in a calendar year when such vehicles are not owned and titled in the name of the owner.

17 (4) Manufacturer--is a person that builds an assembled vehicle and is not a hobbyist, has
18 the meaning as defined in Occupations Code §2301.002, and is subject to the requirements of that
19 chapter applicable to manufacturers, including sale through a franchise dealer network.

20 (5) Personal use--is the construction of an assembled vehicle by a hobbyist for use by
21 the hobbyist.

22 (c) For purposes of this subchapter, a glider kit issued a title with a "RECONSTRUCTED" remark is
23 a replica.

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§217.404. Initial Application for Title.

(a) An applicant must submit to the department a complete application for title. The application may be submitted in person, by mail, or electronically, to the department. The application must include:

(1) photographs of the front, rear, and side of the assembled vehicle, and if a replica, a photograph of what the vehicle is a replica of;

(2) evidence of ownership of the basic component parts of the assembled vehicle as described in §217.405 of this subchapter (relating to Evidence of Ownership), as applicable to the type of assembled vehicle;

(3) if applicable, proof, on a form prescribed by the department, of a safety inspection required under §217.143 of this chapter (relating to Assembled Vehicle Inspection Requirements), and Transportation Code §731.101;

(4) if applicable, a copy of the Automobile and Light Truck certification, or a successor certification, for the master technician who completed the inspection described in paragraph (3) of this subsection;

(5) a copy of the inspection that may be required under Transportation Code Chapter 548 if the assembled vehicle is to be registered for operation on the roadway;

(6) a Rebuilt Vehicle Statement;

(7) if applicable, a weight certificate;

(8) identification as required in §217.5(d) of this chapter (relating to Evidence of Motor Vehicle Ownership); and

(9) any of the following means to establish the vehicle identification number:

1 (A) an Application for Assigned or Reassigned Number, and Notice of Assigned
2 Number or Installation of Reassigned Vehicle Identification Number, on forms prescribed by the
3 department;

4 (B) an Application for Assigned or Reassigned Number, establishing the vehicle
5 identification number assigned by the manufacturer of the component part by which the assembled
6 vehicle will be identified;

7 (C) acceptable proof, as established by the department, of a vehicle
8 identification number assigned by the maker of the kit used to construct the assembled vehicle; or

9 (D) acceptable proof, as established by the department, of a vehicle
10 identification number assigned by the manufacturer of the replica, custom vehicle, street rod, or glider
11 kit.

12 (b) Following receipt of all information required under subsection (a) of this section, the
13 department will review the application for completeness and to determine if the vehicle meets
14 assembled vehicle qualifications under Transportation Code, Chapter 731.

15 (c) If the department determines that the application is complete and the vehicle meets
16 assembled vehicle qualifications, the department will issue a letter to the applicant on department
17 letterhead, stating that the application is complete and that the vehicle qualifies as an assembled
18 vehicle. The letter shall include a list of the supporting documents and information identified in
19 subsection (d)(2) of this section.

20 (d) Following receipt of the department's letter described in subsection (c) of this section, the
21 applicant may then submit the letter and the completed application to the county tax assessor-collector
22 for processing. The application must include:

23 (1) the department-issued letter described in subsection (c) of this section;

1 (2) copies of all items required to be submitted to the department in subsection (a)(1) -
2 (9) of this section; and

3 (3) the requirements as identified in §217.23 of this chapter (relating to Initial
4 Application for Vehicle Registration) if obtaining registration.

5
6 **STATUTORY AUTHORITY.** The department proposes a repeal to Chapter 217 under Transportation Code
7 §731.002, which authorizes the board to adopt rules to administer Transportation Code Chapter 731,
8 Assembled Vehicles; Transportation Code, §731.052, which provides the board by rule shall establish
9 procedures and requirements for issuance of a title for and registration of an assembled vehicle; and
10 Transportation Code §1002.001, which authorizes the board to adopt rules that are necessary and
11 appropriate to implement the powers and duties of the department, as well as the statutes referenced
12 throughout this preamble.

13 **CROSS REFERENCE TO STATUTE.** This proposed repeal would implement Transportation Code
14 §§731.002, 731.052, and 1002.001.

15
16 **TEXT.**

17 [~~§217.401. Purpose and Scope.~~]

18 [~~(a) Transportation Code Chapter 731, charges the department with the responsibility of~~
19 ~~establishing procedures and requirements for issuance of title and registration for an assembled vehicle.~~
20 ~~For the department to efficiently and effectively issue motor vehicle titles, maintain records, and collect~~
21 ~~the applicable fees, this subchapter prescribes the policies and procedures for the application for and~~
22 ~~issuance of motor vehicle titles to assembled vehicles.]~~

1 ~~[(b) For purposes of this subchapter, a glider kit issued a title with a "RECONSTRUCTED" remark~~
2 ~~is a replica.]~~

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4