

1 carriers in Texas to have an active USDOT number. Citing the related statutory provision within the rule
2 would aid in public understanding and provide a useful reference to the underlying law without
3 unnecessarily repeating statutory language.

4 A proposed repeal of §218.11 would streamline the department’s rules by eliminating provisions
5 that are identical to statutory language. The language in §218.11(a) and (b) is an unnecessary restatement
6 of Transportation Code, §643.051 and §643.064. Relevant language from Transportation Code, §643.064,
7 which is currently in §218.11(c), is proposed to be incorporated into §218.13. In addition, the proposed
8 definition of “USDOT number” in §218.2 would cite to Transportation Code, §643.064 for clarity and ease
9 of reference, as discussed above.

10 Proposed amendments to §218.13(a)(1) would clarify the department’s expectations for
11 compliance related to the USDOT number, incorporating and elaborating on language from proposed
12 repealed §218.11(c) regarding how the department defines a “valid” USDOT number. To be considered
13 “valid,” the USDOT number must be active and be the same as the USDOT number used in the carrier’s
14 application as long as the carrier is operating under intrastate authority granted by the department. The
15 proposed amendment would inform carriers of the requirement to maintain their USDOT number, and
16 thereby aid in compliance.

17 In addition, recent Texas Attorney General Opinion No. KP-0516 highlighted the strict mandate
18 in place for a licensing authority such as the department to collect social security numbers (SSN) from an
19 applicant for an individual occupational license under Texas Family Code, §231.302(c)(1), which includes
20 a sole proprietor motor carrier who applies for a certificate of registration for intrastate operating
21 authority. Accordingly, the department proposes to amend §218.13(a)(3)(B) to clarify that a sole
22 proprietor applying for motor carrier registration must provide an SSN in the application. While this has
23 consistently been department practice, the current wording of §218.13(a)(3)(B) could be read to mean

1 that a sole proprietor could provide an Individual Taxpayer Identification Number rather than an SSN.
2 Thus, the proposed amendment would state plainly that providing an SSN is the only option available for
3 a sole proprietor applying for motor carrier registration in Texas.

4 The proposed amendments to §218.14(c) would remove cross-references to §218.11, which is
5 proposed for repeal. The proposed amendments would replace those cross-references with citations to
6 Transportation Code, §643.051, which requires commercial motor carriers to register with the
7 department, and to Transportation Code, §643.054(a), which give the department the authority to issue
8 motor carrier registration in Texas. These amendments would clarify the rule and prevent any confusion
9 following the repeal of §218.11.

10 **FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT.** Chris Hayden, Chief Financial Officer, has
11 determined that for each year of the first five years the amendments and repeal will be in effect, there
12 will be no fiscal impact to state or local governments as a result of the enforcement or administration of
13 the proposal. Clint Thompson, Director of the Motor Carrier Division (MCD), has determined that there
14 will be no measurable effect on local employment or the local economy as a result of the proposal.

15 **PUBLIC BENEFIT AND COST NOTE.** Mr. Thompson has also determined that, for each year of the first five
16 years the repealed and amended sections would be in effect, there are several public benefits anticipated
17 because motor carriers would have clear guidance regarding the requirement for a social security number
18 for motor carrier registration application by a sole proprietor, and the requirement for a registered motor
19 carrier to maintain an active USDOT number. In addition, the rules as proposed would aid the regulated
20 community by making the rules easier to read and navigate through, by eliminating text that is
21 unnecessarily repetitive of statute.

1 Anticipated Costs to Comply with the Proposal. Mr. Thompson anticipates that there will be no
2 costs to comply with these rules. The proposed rules would clarify existing law and practice, rather than
3 add new compliance activities.

4 **ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** As required by the
5 Government Code, §2006.002, the department has determined that the proposed amendments and
6 repeal will not have an adverse economic effect on small businesses, micro-businesses, and rural
7 communities because the rule changes do not add new requirements and do not have any differential
8 impact on small businesses, micro-businesses, or rural communities. Therefore, the department is not
9 required to prepare a regulatory flexibility analysis under Government Code, §2006.002.

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

14 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that for each year of the
15 first five years the proposed amendments and repealed section would be in effect, no government
16 program would be created or eliminated. Implementation of the proposed amendments and repeal
17 would not require the creation of new employee positions or elimination of existing employee positions.
18 Implementation would not require an increase or decrease in future legislative appropriations to the
19 department or an increase or decrease in fees paid to the department. The proposed amendments would
20 not create a new regulation or expand existing regulations. The proposed amendments to §218.13 would
21 limit an existing regulation by removing any possibility that it could be interpreted to allow sole proprietor
22 applicants for motor carrier registration to use an ITIN as an alternative to an SSN in their applications.
23 The proposed repeal of §218.11 is technically a repeal of an existing regulation, but the enforceable

1 requirements of that rule will continue to exist in Transportation Code, §§ 643.051, 643.054, and 643.064,
2 and 43 TAC §218.13, if amended as proposed. Lastly, the proposed amendments and repeal would not
3 affect the number of individuals subject to the rule's applicability and will not affect this state's economy.

4 **REQUEST FOR PUBLIC COMMENT.**

5 If you want to comment on the proposal, submit your written comments by 5:00 p.m. CDT on July 27,
6 2026. The department requests information related to the cost, benefit, or effect of the proposed rule,
7 including any applicable data, research, or analysis, from any person required to comply with the
8 proposed rule or any other interested person. A request for a public hearing must be sent separately from
9 your written comments. Send written comments or hearing requests by email to rules@txdmv.gov or by
10 mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin,
11 Texas 78731. If a hearing is held, the department will consider written comments and public testimony
12 presented at the hearing.

13

14

SUBCHAPTER A. GENERAL PROVISIONS

15

16 **STATUTORY AUTHORITY.** The Texas Department of Motor Vehicles (department) proposes to amend
17 §218.2 under Transportation Code, §643.003, which authorizes the department to adopt rules to
18 administer Transportation Code, Chapter 643; 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.

21 **CROSS REFERENCE TO STATUTE.** The proposed amendment would implement Transportation Code,
22 §643.003, §643.064 and §1002.001.

23

1 **TEXT.**

2 §218.2. Definitions.

3 (a) The definitions contained in Transportation Code, Chapter 643 apply to this chapter. In the
4 event of a conflict with this chapter, the definitions contained in Transportation Code, Chapter 643
5 control; however, the definition of the word "director" in this section controls over the definition in
6 Transportation Code, Chapter 643.

7 (b) The following words and terms, when used in this chapter, shall have the following
8 meanings, unless the context clearly indicates otherwise.

9 (1) Advertisement--An oral, written, graphic, or pictorial statement or representation
10 made in the course of soliciting intrastate household goods transportation services, including, without
11 limitation, a statement or representation made in a newspaper, magazine, or other publication, or
12 contained in a notice, sign, poster, display, circular, pamphlet, or letter, or on radio, the Internet, or via
13 an online service, or on television. The term does not include direct communication between a
14 household goods carrier or carrier's representative and a prospective shipper, and does not include the
15 following:

16 (A) promotional items of nominal value such as ball caps, tee shirts, and pens;

17 (B) business cards;

18 (C) listings not paid for by the household goods carrier or its household goods
19 carrier's agent; and

20 (D) listings of a household goods carrier's business name or assumed name as it
21 appears on the motor carrier certificate of registration, and the household goods carrier's address, and
22 contact information in a directory or similar publication.

23 (2) Approved association--A group of household goods carriers, its agents, or both, that

1 has an approved collective ratemaking agreement on file with the department under §218.64 of this
2 title (relating to Rates).

3 (3) Binding proposal--A written offer stating the exact price for the transportation of
4 specified household goods and any related services.

5 (4) Board--Board of the Texas Department of Motor Vehicles.

6 (5) Certificate of insurance--A certificate prescribed by and filed with the department in
7 which an insurance carrier or surety company warrants that a motor carrier for whom the certificate is
8 filed has the minimum coverage as required by §218.16 of this title (relating to Insurance
9 Requirements).

10 (6) Certificate of registration--A certificate issued by the department to a motor carrier
11 and containing a unique number.

12 (7) Certified scale--Any scale designed for weighing motor vehicles, including trailers or
13 semitrailers not attached to a tractor, and certified by an authorized scale inspection and licensing
14 authority. A certified scale may also be a platform-type or warehouse-type scale properly inspected and
15 certified.

16 (8) Commercial motor vehicle--As defined in Transportation Code, §548.001. The
17 definition for commercial motor vehicle does not include:

18 (A) a farm vehicle with a gross weight, registered weight, or gross weight rating
19 of less than 48,000 pounds;

20 (B) a cotton vehicle registered under Transportation Code, §504.505;

21 (C) a vehicle registered with the Railroad Commission under Natural Resources
22 Code, §113.131 and §116.072;

23 (D) a vehicle operated by a governmental entity;

1 (E) a motor vehicle exempt from registration by the Unified Carrier Registration
2 Act of 2005; and

3 (F) a tow truck, as defined by Occupations Code, §2308.002.

4 (9) Conspicuous--Written in a size, color, and contrast so as to be readily noticed and
5 understood.

6 (10) Conversion--A change in an entity's organization that is implemented with a
7 Certificate of Conversion issued by the Texas Secretary of State under Business Organizations Code,
8 §10.154.

9 (11) Director--The director of the department's Motor Carrier Division, whom the
10 executive director of the department designated as the director under Transportation Code,
11 §643.001(2).

12 (12) Estimate--An informal oral calculation of the approximate price of transporting
13 household goods.

14 (13) Farmer--A person who operates a farm or is directly involved in cultivating land,
15 crops, or livestock that are owned by or are under the direct control of that person.

16 (14) Farm vehicle--A commercial motor vehicle that is:

17 (A) controlled and operated by a farmer to transport either:

18 (i) agricultural products; or

19 (ii) farm machinery, farm supplies, or both, to and from a farm;

20 (B) not being used in the operation of a for-hire motor carrier;

21 (C) not carrying hazardous materials of a type or quantity that requires the
22 commercial motor vehicle to be placarded in accordance with 49 C.F.R. §177.823; and

23 (D) being used within 150 air-miles of the farmer's farm.

1 (15) FMCSA--Federal Motor Carrier Safety Administration.

2 (16) For-hire motor carrier--A motor carrier that provides transportation of persons or
3 cargo for compensation in one or more motor vehicles.

4 (17) Foreign commercial motor vehicle--As defined in Transportation Code, §648.001.

5 (18) Gross weight rating--The maximum loaded weight of any combination of truck,
6 tractor, and trailer equipment as specified by the manufacturer of the equipment. If the manufacturer's
7 rating is unknown, the gross weight rating is the greater of:

8 (A) the actual weight of the equipment and its lading; or

9 (B) the maximum lawful weight of the equipment and its lading.

10 (19) Household goods agent--A motor carrier who transports household goods on behalf
11 of another motor carrier.

12 (20) Household goods carrier--A motor carrier who transports household goods for
13 compensation, regardless of the size of the vehicle.

14 (21) Inventory--A list of the items in a household goods shipment and the condition of
15 the items.

16 (22) Leasing business--A person that leases vehicles requiring registration under
17 Subchapter B of this chapter to a motor carrier that must be registered.

18 (23) Mediation--A non-adversarial form of alternative dispute resolution in which an
19 impartial person, the mediator, facilitates communication between two parties to promote
20 reconciliation, settlement, or understanding.

21 (24) Motor Carrier or carrier--As defined in Transportation Code, §643.001(6).

22 (25) Motor transportation broker--As defined in Transportation Code, §646.001.

23 (26) Moving services contract--A contract between a household goods carrier and

1 shipper, such as a bill of lading, receipt, order for service, or work order, that sets out the terms of the
2 services to be provided.

3 (27) Multiple user--An individual or business who has a contract with a household goods
4 carrier and who used the carrier's services more than 50 times within the preceding 12 months.

5 (28) Not-to-exceed proposal--A formal written offer stating the maximum price a
6 shipper can be required to pay for the transportation of specified household goods and any related
7 services. The offer may also state the non-binding approximate price. Any offer based on hourly rates
8 must state the maximum number of hours required for the transportation and related services unless
9 there is an acknowledgment from the shipper that the number of hours is not necessary.

10 (29) Principal business address--A single location that serves as a motor carrier's
11 headquarters and where it maintains its operational records or can make them available.

12 (30) Print advertisement--A written, graphic, or pictorial statement or representation
13 made in the course of soliciting intrastate household goods transportation services, including, without
14 limitation, a statement or representation made in or contained in a newspaper, magazine, circular, or
15 other publication. The term does not include direct communication between a household goods carrier
16 or carrier's representative and a prospective shipper, and does not include the following:

17 (A) promotional items of nominal value such as ball caps, tee shirts, and pens;

18 (B) business cards;

19 (C) Internet websites;

20 (D) listings not paid for by the household goods carrier or its household goods
21 carrier's agent; and

22 (E) listings of a household goods carrier's business name or assumed name as it
23 appears on the motor carrier certificate of registration, and the household goods carrier's address, and

1 contact information in a directory or similar publication.

2 (31) Public highway--Any publicly owned and maintained street, road, or highway in this
3 state.

4 (32) Replacement vehicle--A vehicle that takes the place of another vehicle that has
5 been removed from service.

6 (33) Revocation--The withdrawal of registration and privileges by the department or a
7 registration state.

8 (34) Shipper--The owner of household goods or the owner's representative.

9 (35) Short-term lease--A lease of 30 days or less.

10 (36) Substitute vehicle--A vehicle that is leased from a leasing business and that is used
11 as a temporary replacement for a vehicle that has been taken out of service for maintenance, repair, or
12 any other reason causing the temporary unavailability of the permanent vehicle.

13 (37) Suspension--Temporary removal of privileges granted to a registrant by the
14 department or a registration state.

15 (38) Unified Carrier Registration System or UCR--A motor vehicle registration system
16 established under 49 U.S.C. §14504a or a successor federal registration program.

17 (39) USDOT--United States Department of Transportation.

18 (40) USDOT number-- A unique [An] identification number issued by or under the
19 authority of the FMCSA or its successor and required under Texas Transportation Code §643.064 for
20 specified motor carriers.

21

1 (A) The applicant's name, business type (e.g., sole proprietor, corporation, or
2 limited liability company), telephone number, email address, and Secretary of State file number, as
3 applicable. The applicant's name and email address must match the information the applicant provided
4 to FMCSA to obtain the USDOT number that the applicant provided in its application to the department.

5 (B) An application submitted by an entity, such as a corporation, general
6 partnership, limited liability company, limited liability corporation, limited partnership, or partnership,
7 must include the entity's Texas Comptroller's Taxpayer Number or the entity's Federal Employer
8 Identification Number.

9 (C) A legible and accurate electronic image of each applicable required document:

10 (i) The certificate of filing, certificate of incorporation, or certificate of
11 registration on file with the Texas Secretary of State; and

12 (ii) each assumed name certificate on file with the Secretary of State or
13 county clerk.

14 (3) Information and documents regarding applicant's owners, representatives, and
15 affiliates. All applications must include the following information and documents on the applicant's
16 owners, representatives, and affiliates, as applicable:

17 (A) The contact name, email address, and telephone number of the person
18 submitting the application.

19 (B) The name, social security number or Individual Taxpayer Identification
20 Number (to the extent the natural person is authorized by law to obtain one of these numbers), date of
21 birth, business address, and ownership percentage for each owner, partner, member, or principal if the
22 applicant is not a publicly traded company. Notwithstanding any other provision, if the motor carrier is a
23 sole proprietorship, the owner must indicate the owner's social security number.

1 (C) The name, social security number or Individual Taxpayer Identification
2 Number (to the extent the natural person is authorized by law to obtain one of these numbers), date of
3 birth, and business address for the following if the applicant is owned in full or in part by a legal entity:

4 (i) each officer, director, or trustee authorized to act on behalf of the
5 applicant; and

6 (ii) each manager or representative who has or exercises authority to
7 direct some or all of the applicant's operational policy regarding compliance with applicable laws
8 regarding a motor carrier, excluding sales functions, on behalf of the applicant.

9 (D) The name, employer identification number, ownership percentage, and non-
10 profit or publicly traded status for each legal entity that owns the applicant in full or in part.

11 (E) The name, social security number or Individual Taxpayer Identification
12 Number (to the extent the natural person is authorized by law to obtain one of these numbers), date of
13 birth, and business address for each person who serves or will serve as the applicant's manager, operator,
14 or representative who has or exercises authority to direct some or all of the applicant's operational policy
15 regarding compliance with applicable laws regarding a motor carrier, excluding sales functions.

16 (F) A legible and accurate electronic image of at least one of the following
17 unexpired identity documents for each natural person identified in the application:

18 (i) a driver license issued by a state or territory of the United States. If the
19 driver license was issued by the Texas Department of Public Safety, the image must also include the audit
20 number listed on the Texas driver license;

21 (ii) Texas identification card issued by the Texas Department of Public
22 Safety under Transportation Code, Chapter 521, Subchapter E, or an identification certificate issued by a
23 state or territory of the United States;

1 (iii) license to carry a handgun issued by the Texas Department of Public
2 Safety under Government Code, Chapter 411, Subchapter H;

3 (iv) United States passport; or

4 (v) United States military identification.

5 (4) Principal business address and mailing address. The applicant must provide the
6 applicant's principal business address, which must be a physical address. If the mailing address is different
7 from the principal business address, the applicant must also provide the applicant's mailing address.

8 (5) Legal agent.

9 (A) A Texas-domiciled motor carrier must provide the name, telephone number,
10 and address of a legal agent for service of process if the agent is different from the motor carrier.

11 (B) A motor carrier domiciled outside Texas must provide the name, telephone
12 number, and Texas address of the legal agent for service of process.

13 (C) A legal agent for service of process shall be a Texas resident, a domestic
14 corporation, or a foreign corporation authorized to transact business in Texas with a Texas physical
15 address, rather than a post office box, for service of process.

16 (6) Description of vehicles. An application must include a motor carrier equipment report
17 identifying each motor vehicle that requires registration and that the carrier proposes to operate. Each
18 motor vehicle must be identified by its vehicle identification number, make, model year, and type of cargo
19 and by the unit number assigned to the motor vehicle by the motor carrier. Any subsequent registration
20 of vehicles must be made under subsection (e) of this section.

21 (7) Type of motor carrier operations. An applicant must state if the applicant proposes to
22 transport passengers, household goods, or hazardous materials.

1 (8) Insurance coverage. An applicant must indicate insurance coverage as required by
2 §218.16 of this title (relating to Insurance Requirements).

3 (9) Safety certification. Each motor carrier must complete, as part of the application, a
4 certification stating that the motor carrier knows and will conduct operations in accordance with all
5 federal and state safety regulations.

6 (10) Drug-testing certification. Each motor carrier must certify, as part of the application,
7 that the motor carrier is in compliance with the drug-testing requirements of 49 C.F.R. Part 382. If the
8 motor carrier belongs to a consortium, as defined by 49 C.F.R. Part 382, the applicant must provide the
9 names of the persons operating the consortium.

10 (11) Duration of registration.

11 (A) An applicant must indicate the duration of the desired registration. Except as
12 provided otherwise in this section, registration may be for seven calendar days, 90 calendar days, one
13 year, or two years. The duration of registration chosen by the applicant will be applied to all vehicles.

14 (i) Household goods carriers may not obtain seven-day or 90-day
15 certificates of registration.

16 (ii) Motor carriers that transport passengers in a commercial motor
17 vehicle as defined by Transportation Code, §548.001(1)(B) may not obtain seven-day or 90-day certificates
18 of registration, unless approved by the director.

19 (B) Interstate motor carriers that operate in intrastate commerce and meet the
20 requirements under §218.14(c) of this title (relating to Expiration and Renewal of Commercial Motor
21 Vehicles Registration) are not required to renew a certificate of registration issued under this section.

22 (12) Additional requirements. The following fees, documents, and information must be
23 submitted with the application.

1 (A) An application must be accompanied by an application fee of:

2 (i) \$100 for annual and biennial registrations;

3 (ii) \$25 for 90-day registrations; or

4 (iii) \$5 for seven-day registrations.

5 (B) An application must be accompanied by a vehicle registration fee of:

6 (i) \$10 for each vehicle that the motor carrier proposes to operate under
7 a seven-day, 90-day, or annual registration; or

8 (ii) \$20 for each vehicle that the motor carrier proposes to operate under
9 a biennial registration.

10 (C) An application must be accompanied by proof of insurance or financial
11 responsibility and the insurance filing fee as required by §218.16.

12 (D) An application must include the completed New Applicant Questionnaire
13 (Applicant Questionnaire), which consists of questions and requirements, such as the following:

14 (i) Have you ever had another motor carrier certificate of registration
15 number issued by the department in the three years prior to the date of this application? If your answer
16 is yes, provide the certificate of registration number for the motor carrier(s). In the Applicant
17 Questionnaire, the word "you" means the applicant or any business that is operated, managed, or
18 otherwise controlled by or affiliated with the applicant or a family member, corporate officer, manager,
19 operator, or owner (if the business is not a publicly traded company) of the applicant. In the Applicant
20 Questionnaire, the word "manager" means a person who has or exercises authority to direct some or all
21 of the applicant's operational policy regarding compliance with applicable laws regarding a motor carrier,
22 excluding sales functions.

1 (ii) Have you had a Compliance Review or a New Entrant Audit by the
2 Texas Department of Public Safety that resulted in an Unsatisfactory Safety Rating in the three years prior
3 to the date of your application? If your answer is yes, provide the USDOT number(s) and the certificate of
4 registration number(s) issued by the department.

5 (iii) Are you currently under an Order to Cease from the Texas
6 Department of Public Safety? If your answer is yes, provide the motor carrier's USDOT number(s) and the
7 Carrier Profile Number(s). The Texas Department of Public Safety assigns a Carrier Profile Number (CP#)
8 when they perform a compliance review on a motor carrier's operations to determine whether the motor
9 carrier meets the safety fitness standards.

10 (iv) Are you related to another motor carrier, or have you been related to
11 another motor carrier within the three years prior to the date of your application? The relationship may
12 be through a person (including a family member), corporate officer, or partner who also operates or has
13 operated as a motor carrier in Texas. If your answer is yes, state how you are related and provide the
14 motor carrier's name and the motor carrier's USDOT number, or the certificate of registration number
15 issued by the department for each related motor carrier.

16 (v) Do you currently owe any administrative penalties to the department,
17 regardless of when the final order was issued to assess the administrative penalties? If your answer is yes,
18 provide the following information under which the administrative penalties were assessed:

19 (I) department's notice number(s); and

20 (II) the motor carrier's USDOT number and certificate of
21 registration number issued by the department;

22 (vi) Name and title of person completing the Applicant
23 Questionnaire; and

1 (vii) Is the person completing the Applicant Questionnaire an
2 authorized representative of the applicant? If your answer is yes, please add the person's name, job title,
3 phone number, and address.

4 (E) An applicant must state if the applicant is domiciled in a foreign country.

5 (F) An application must include a certification that the information and
6 documents provided in the application are true and correct and that the applicant complied with the
7 application requirements under Chapter 218 of this title (relating to Motor Carriers) and Transportation
8 Code, Chapter 643.

9 (G) An application must be accompanied by any other information and
10 documents required by the department to evaluate the application under current law, including board
11 rules.

12 (13) Additional requirements for household goods carriers. The following information,
13 documents, and certification must be submitted with all applications by household goods carriers:

14 (A) A copy of the tariff that sets out the maximum charges for transportation of
15 household goods, or a copy of the tariff governing interstate transportation services. If an applicant is
16 governed by a tariff that its association has already filed with the department under §218.65 of this title
17 (relating to Tariff Registration), the applicant complies with the requirement in this subparagraph by
18 checking the applicable box on the application to identify the association's tariff.

19 (B) If the motor vehicle is not titled in the name of the household goods carrier,
20 the following lease information and documentation, notwithstanding §218.18(a) of this title (relating to
21 Short-term Lease and Substitute Vehicles):

22 (i) a copy of a valid lease agreement for each motor vehicle that the
23 household goods carrier will operate; and

1 (ii) the name of the lessor and their USDOT number for each motor
2 vehicle leased to the household goods carrier under a short-term lease.

3 (C) A certification that the household goods carrier has procedures that comply
4 with Code of Criminal Procedure, Article 62.063(b)(3), which prohibits certain people who are required to
5 register as a sex offender from providing moving services in the residence of another person without
6 supervision.

7 (14) Additional requirements for passenger carriers. The following information and
8 documents must be submitted with all applications for motor carriers that transport passengers in a
9 commercial motor vehicle as defined by Transportation Code, §548.001(1)(B):

10 (A) If the commercial motor vehicle is titled in the name of the motor carrier, a
11 copy of the International Registration Plan registration receipt or a copy of the front and back of the title
12 for each commercial motor vehicle; or

13 (B) If the commercial motor vehicle is not titled in the name of the motor carrier,
14 the following lease information and documentation, notwithstanding §218.18(a) of this title:

15 (i) A copy of a valid lease agreement for each commercial motor vehicle;
16 and

17 (ii) The name of the lessor and their USDOT number for each commercial
18 motor vehicle leased to the motor carrier under a short-term lease.

19 (b) Conditional acceptance of application. If an application has been conditionally accepted by the
20 director pursuant to Transportation Code, §643.055, the applicant may not operate the following until
21 the department has issued a certificate under Transportation Code, §643.054:

22 (1) a commercial motor vehicle or any other motor vehicle to transport household goods
23 for compensation, or

1 (2) a commercial motor vehicle to transport persons or cargo.

2 (c) Approved application. An applicant meeting the requirements of this section and whose
3 registration is approved shall be issued the following documents:

4 (1) Certificate of registration. The department shall issue a certificate of registration. The
5 certificate of registration must contain the name and address of the motor carrier and a single registration
6 number, regardless of the number of vehicles requiring registration that the carrier operates.

7 (2) Insurance cab card. The department shall issue an insurance cab card listing all vehicles
8 to be operated under the carrier's certificate of registration. The insurance cab card shall be continuously
9 maintained at the motor carrier's principal business address. The insurance cab card must be valid for the
10 same period as the motor carrier's certificate of registration and shall contain information regarding each
11 vehicle registered by the motor carrier.

12 (A) A current copy of the page of the insurance cab card on which the vehicle is
13 shown shall be maintained in each vehicle listed, unless the motor carrier chooses to maintain a legible
14 and accurate image of the insurance cab card on a wireless communication device in the vehicle or
15 chooses to display such information on a wireless communication device by accessing the department's
16 online system from the vehicle. The appropriate information concerning that vehicle shall be highlighted
17 if the motor carrier chooses to maintain a hard copy of the insurance cab card or chooses to display an
18 image of the insurance cab card on a wireless communication device in the vehicle. The insurance cab
19 card or the display of such information on a wireless communications device shall serve as proof of
20 insurance as long as the motor carrier has continuous insurance or financial responsibility on file with the
21 department.

22 (B) On demand by a department investigator or any other authorized government
23 personnel, the driver shall present the highlighted page of the insurance cab card that is maintained in

1 the vehicle or that is displayed on a wireless communication device in the vehicle. If the motor carrier
2 chooses to display the information on a wireless communication device by accessing the department's
3 online system, the driver shall locate the vehicle in the department's online system upon request by the
4 department-certified inspector or other authorized government personnel.

5 (C) The motor carrier shall notify the department in writing if it discontinues use
6 of a registered motor vehicle before the expiration of its insurance cab card.

7 (D) Any erasure or alteration of an insurance cab card that the department
8 printed out for the motor carrier renders it void.

9 (E) If an insurance cab card is lost, stolen, destroyed, or mutilated; if it becomes
10 illegible; or if it otherwise needs to be replaced, the department shall print out a new insurance cab card
11 at the request of the motor carrier. Motor carriers are authorized to print out a copy of a new insurance
12 cab card using the department's online system.

13 (F) The department is not responsible for a motor carrier's inability to access the
14 insurance cab card using the department's online system.

15 (d) Additional and replacement vehicles. A motor carrier required to obtain a certificate of
16 registration under this section shall not operate additional vehicles unless the carrier identifies the
17 vehicles on a form prescribed by the director and pays applicable fees as described in this subsection.

18 (1) Additional vehicles. To add a vehicle, a motor carrier must pay a fee of \$10 for each
19 additional vehicle that the motor carrier proposes to operate under a seven-day, 90-day, or annual
20 registration. To add a vehicle during the first year of a biennial registration, a motor carrier must pay a fee
21 of \$20 for each vehicle. To add a vehicle during the second year of a biennial registration, a motor carrier
22 must pay a fee of \$10 for each vehicle.

1 (2) Replacement vehicles. No fee is required for a vehicle that is replacing a vehicle for
2 which the fee was previously paid. Before the replacement vehicle is put into operation, the motor carrier
3 must notify the department, identify the vehicle being taken out of service, and identify the replacement
4 vehicle on a form prescribed by the department. A motor carrier registered under seven-day registration
5 may not replace vehicles.

6 (e) Supplement to original application. A motor carrier required to register under this section shall
7 electronically file in the department's designated motor carrier registration system a supplemental
8 application under the following circumstances.

9 (1) Change of cargo. A registered motor carrier may not begin transporting household
10 goods or hazardous materials unless the carrier submits a supplemental application to the department
11 and shows the department evidence of insurance or financial responsibility in the amounts specified by
12 §218.16.

13 (2) Change of name. A motor carrier that changes its name shall file a supplemental
14 application for registration no later than the effective date of the change. The motor carrier shall include
15 evidence of insurance or financial responsibility in the new name and in the amounts specified by §218.16.
16 A motor carrier that is a corporation must have its name change approved by the Texas Secretary of State
17 before filing a supplemental application. A motor carrier incorporated outside the state of Texas must
18 complete the name change under the law of its state of incorporation before filing a supplemental
19 application.

20 (3) Change of address or legal agent for service of process. A motor carrier shall file a
21 supplemental application for any change of address or any change of its legal agent for service of process
22 no later than the effective date of the change. The address most recently filed will be presumed
23 conclusively to be the current address.

1 (4) Change in principal officers and titles. A motor carrier that is a corporation shall file a
2 supplemental application for any change in the principal officers and titles no later than the effective date
3 of the change.

4 (5) Conversion of corporate structure. A motor carrier that has successfully completed a
5 corporate conversion involving a change in the name of the corporation shall file a supplemental
6 application for registration and evidence of insurance or financial responsibility reflecting the new
7 company name. The conversion must be approved by the Office of the Secretary of State before the
8 supplemental application is filed.

9 (6) Change in drug-testing consortium status. A motor carrier that changes consortium
10 status shall file a supplemental application that includes the names of the persons operating the
11 consortium.

12 (7) Retaining a revoked or suspended certificate of registration number. A motor carrier
13 may retain a prior certificate of registration number by:

14 (A) filing a supplemental application to reregister instead of filing an original
15 application; and

16 (B) providing adequate evidence that the carrier has satisfactorily resolved the
17 issue that gave rise to the suspension or revocation.

18 (f) Change of ownership. A motor carrier must file an original application for registration when
19 there is a corporate merger or a change in the ownership of a sole proprietorship or of a partnership.

20 (g) Alternative vehicle registration for household goods agents. To avoid multiple registrations of
21 a motor vehicle, a household goods agent's vehicles may be registered under the motor carrier's
22 certificate of registration under this subsection.

1 (1) The carrier must notify the department on a form approved by the director of its intent
2 to register its agent's vehicles under this subsection.

3 (2) When a carrier registers vehicles under this subsection, the carrier's certificate shall
4 include all vehicles registered under its agent's certificates of registration. The carrier must register under
5 its certificate of registration all vehicles operated on its behalf that do not appear on its agent's certificate
6 of registration.

7 (3) The department may send the carrier a copy of any notification sent to the agent
8 concerning circumstances that could lead to denial, suspension, or revocation of the agent's certificate.

9 (h) Substitute vehicles leased from leasing businesses. A registered motor carrier is not required
10 to comply with the provisions of subsection (e) of this section for a substitute vehicle leased from a
11 business registered under §218.18 of this title (relating to Short-term Lease and Substitute Vehicles). A
12 motor carrier is not required to carry proof of registration as described in subsection (d) of this section if
13 a copy of the lease agreement for the originally leased vehicle is carried in the cab of the temporary
14 replacement vehicle.

15 (i) A motor carrier with an unexpired certificate of registration that has not been revoked shall
16 update its principal business address, mailing address, and email address in the department's online
17 system within 30 days of a change to the information.

18 (j) A sole proprietor with an unexpired certificate of registration shall notify the department as
19 specified in subsection (k) of this section, directly or through the sole proprietor's authorized
20 representative, of the sole proprietor's imprisonment for any of the following:

21 (1) a felony conviction for any of the following:

22 (A) an offense that directly relates to the duties and responsibilities of a motor
23 carrier as defined in §211.25 of this title (relating to Criminal Offense Guidelines; Imprisonment);

1 (B) an offense listed in Code of Criminal Procedure, Article 42A.054; or

2 (C) a sexually violent offense, as defined by Code of Criminal Procedure, Article

3 62.001;

4 (2) felony community supervision revocation;

5 (3) revocation of parole; or

6 (4) revocation of mandatory supervision.

7 (k) The notice under subsection (j) of this section shall be provided to the department:

8 (1) for an imprisonment that occurs on or after May 1, 2026;

9 (2) within 15 days of the date the sole proprietor is imprisoned;

10 (3) using the email address listed on the department's website for this purpose; and

11 (4) with the following information:

12 (A) the name of the sole proprietor;

13 (B) the sole proprietor's certificate of registration number under Transportation

14 Code, Chapter 643;

15 (C) the date the sole proprietor was imprisoned;

16 (D) the reason the sole proprietor was imprisoned, using one of the reasons listed

17 in subsection (j) of this section;

18 (E) the citation to the statute, administrative rule, or regulation regarding the

19 felony offense for which the sole proprietor was imprisoned if the sole proprietor was imprisoned for a

20 felony conviction that falls under subsection (j)(1) of this section;

21 (F) whether the sole proprietor is a motor carrier of passengers, a for-hire motor

22 carrier of cargo, a household goods carrier, or a motor carrier who transports hazardous materials under

23 Transportation Code, Chapter 643; and

1 (G) the name and phone number of the sole proprietor's authorized
2 representative, if applicable.

3 (I) An applicant under this chapter and a motor carrier with a certificate of registration may
4 submit an application to the department or provide the department with any required information and
5 updates through an authorized representative. Upon request by the department, a representative shall
6 provide the department with written proof of authority to act on behalf of the applicant or motor
7 carrier.

8

9 §218.14. Expiration and Renewal of Motor Vehicle Registration.

10 (a) Expiration and renewal dates.

11 (1) A motor carrier with annual or biennial registration shall be assigned a date for the
12 expiration and renewal of its motor carrier registration according to the last digit of the carrier's
13 certificate of registration number, as outlined in the following chart:

14 [Attached Graphic](#)

15 (2) 90-day certificates of registration are valid for 90 calendar days from the effective
16 date.

17 (3) Seven-day certificates of registration are valid for seven calendar days from the
18 effective date.

19 (b) Registration renewal.

20 (1) At least 30 days before the expiration of registration, the department shall mail or
21 send electronically a renewal notice to each registered motor carrier with annual or biennial
22 registration. The notice shall be sent to the carrier's last known address according to the Motor Carrier
23 Division's records. Failure to receive the notice does not relieve the registrant of the responsibility to

1 renew. A supplement to an application for motor carrier registration renewal must be filed electronically
2 in the department's designated motor carrier registration system and must:

3 (A) supply any new information and documents required under §218.13(e) of
4 this title (relating to Application for Motor Carrier Registration) if the information or documents have
5 not previously been provided to the department; and

6 (B) include a \$10 fee for each vehicle that the carrier operates under an annual
7 certificate of registration and a \$20 fee for each vehicle that the carrier operates under a biennial
8 certificate of registration.

9 (2) Seven-day and 90-day registrations may not be renewed.

10 (3) A motor carrier shall maintain continuous insurance or evidence of financial
11 responsibility in an amount at least equal to the amount prescribed under §218.16 of this title (relating
12 to Insurance Requirements).

13 (4) The insurance cab card issued to a motor carrier is valid for the same period as the
14 motor carrier's certificate of registration.

15 (5) To renew registration after it has expired, a motor carrier must file a supplemental
16 application electronically in the department's designated motor carrier registration system within 180
17 days after the registration expiration and must include the following information, documents, and fees:

18 (A) identify its vehicles on a form prescribed by the director;

19 (B) pay all vehicle fees; and

20 (C) if current proof of insurance or evidence of financial responsibility is not on
21 file with the department, comply with all insurance requirements.

22 (c) Interstate motor carrier operating in intrastate commerce.

1 (1) An interstate motor carrier registered under §218.17 of this title (relating to Unified
2 Carrier Registration System) is not required to renew a certificate of registration issued under
3 Transportation Code §643.054(a) [~~§218.11 of this title (relating to Motor Carrier Registration)~~] except
4 when the motor carrier is operating as a

- 5 (A) non-charter bus carrier;
- 6 (B) household goods carrier; or
- 7 (C) recyclable materials or waste carrier.

8 (2) If a motor carrier that registered under §218.17 does not maintain continuous motor
9 carrier registration required under Transportation Code §643.051 [~~§218.11~~], the motor carrier must file
10 a supplemental application to reregister under §218.13 to operate on a public highway in this state.

11 (3) The motor carrier must notify the department if the motor carrier is registered under
12 UCR. The notification must be filed with the department on a form prescribed by the department. Once
13 the department receives the notification, the department shall convert the motor carrier's certificate of
14 registration to a non-expiring certificate of registration if the motor carrier qualifies for a non-expiring
15 certificate of registration.

16 (4) If the department issues the motor carrier a non-expiring certificate of registration,
17 the motor carrier shall notify the department if the motor carrier is no longer registered under UCR or if
18 the motor carrier operates as a non-charter bus carrier, household goods carrier, or recyclable materials
19 or waste carrier. The notification shall be filed with the department on a form prescribed by the
20 department.

21
22 **STATUTORY AUTHORITY.** The department proposes the repeal of §218.11 under Transportation Code
23 §643.003, which authorizes the department to adopt rules to administer Transportation Code, Chapter

1 643; and Transportation Code §1002.001 authorizes the board to adopt rules that are necessary and
2 appropriate to implement the powers and the duties of the department.

3 **CROSS REFERENCE TO STATUTE.** The proposed repeal would implement Transportation Code, Chapter
4 643.

5

6 **TEXT.**

7 [~~§218.11. Motor Carrier Registration.~~]

8 [(a) A motor carrier may not operate a commercial motor vehicle upon a public highway of this
9 state without first obtaining a certificate of registration issued by the department as prescribed in this
10 subchapter and a valid USDOT number.]

11 [(b) A household goods carrier may not operate a vehicle upon a public highway of this state
12 without first obtaining a certificate of registration issued by the department as prescribed in this
13 subchapter and a valid USDOT number.]

14 [(c) For the purposes of this subchapter, a valid USDOT number is an active USDOT number.]

15

16