MOTOR VEHICLE REGISTRATION MANUAL

Texas Department of Motor Vehicles

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TxDMV July 2014

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TABLE OF CONTENTS

Chapter 1 Accounting 1-1
1.1 General Provisions 1-1
Registration Year 1-1
Schedule of Registration Fees 1-1
Collection of Fees 1-2
Transfer of Registration 1-3
Deposits to the State Highway Fund 1-3
Mail or Electronic Registration Service Charge 1-3
Disposition of Fees 1-4
County Additional Fees 1-5
Deposit of Fees in Interest Bearing Account 1-5
Interest on Fees 1-6
Use of County Registration Fees 1-6
Distribution of Fees between State and Counties 1-6
Electronic Transfer of Funds 1-7
Tax Assessor-Collector Compensation 1-7
Contracts Between Counties 1-7
Allocation of Fees 1-7
1.2 Checks Drawn Against Insufficient Funds 1-8
Payment by Check 1-8
Hot Check 1-9
Hot Check from Dealer 1-10
1.3 Credit for Destroyed Vehicles 1-10
Registration Fee Credit 1-11
Statement of Surrender of License Plates and Title for Destroyed Vehicle 1-12
1.4 Refund of Overcharged Registration Fee 1-13
Refunds 1-13
Full Refunds 1-13
Partial Refunds 1-14
Other Refund Changes 1-14
1.5 Fund Category Splits 1-15

Chapter 2 Commercial Vehicles 2-1
2.1 Commercial Motor Vehicle or Truck-Tractor Fees 2-1
Vehicles with Truck Registration Classification 2-3
Truck Registration Fees 2-3
Truck Types 2-3
Conversions 2-4
Truck-tractor 2-6
Truck Weights 2-6
Conversions 2-7
Exceptions 2-7
Gross Vehicle Weight Rating 2-8
Registration Weight 2-8
Vehicles with Fixed Weight 2-8

Statutory Size and Weight Limitations . . . 2-9
2.2 Permissible Weight Table . . . 2-12
Voluntary Additional Weight . . . 2-14
Incorrect Gross Weight (Apprehension) . . . 2-14
Exchange of Plates as a Result of a Classification Change . . . 2-15
2.3 Truck-Tractor or Semitrailer Token Fees . . . 2-15
Registering by Gross Weight . . . 2-16
Vehicles not Registered in Combination . . . 2-17
Determining Combined Gross Weight . . . 2-17
Issuing a Combination License Plate . . . 2-18
Token Trailer License Plates . . . 2-18
Auxiliary Axles . . . 2-19
Towing Devices . . . 2-20
Proof of Payment of the Federal Heavy Vehicle Use Tax (HVUT) . . . 2-20
Exemptions . . . 2-21
2.4 Soil Conservation Equipment . . . 2-22
2.5 Trailers Transporting Soil Conservation Machinery or Equipment . . . 2-22
Soil Conservation Machinery or Equipment . . . 2-23
Application for Soil Conservation Registration . . . 2-23
Soil Conservation License Plates . . . 2-23
Soil Conservation License Plates Violations . . . 2-24
2.6 Road Tractor Fees . . . 2-24
Farm Type Tractor Plates . . . 2-24
2.7 Foreign Commercial Vehicles Annual Permits . . . 2-25
Annual Permits Offense . . . 2-26
NAFTA Annual Permits . . . 2-26
2.8 Motor Bus Fees . . . 2-26
2.9 Tow Trucks . . . 2-27
Eligibility . . . 2-27
Exemptions . . . 2-28
Renewal . . . 2-28
Replacement . . . 2-28
Transfers not allowed . . . 2-28
2.10 Fleet Registration . . . 2-29
Intrastate Fleet Qualifications . . . 2-29
License Plates . . . 2-29
License plate fees: . . . 2-29
Registration Process . . . 2-29

Chapter 3 Disabled Persons . . . 3-1
3.1 Definitions . . . 3-1
3.2 Persons with Disabilities . . . 3-2
3.3 Disabled Parking Placards . . . 3-4
3.4 Parking Placard Application . . . 3-4
3.5 Applicant’s Personal Identification . . . 3-5
3.6 Parking Placard Expiration . . . 3-6
3.7 Tax Assessor-Collector Duties . . . 3-6
3.8 Plates and Placards . . . 3-7
Disabled Person Plates . . . 3-7
Not Transferable . . . 3-7
Disabled Parking Placards . . . 3-7
Blue Placards . . . 3-7
Red Placards . . . 3-7

Red Placards for Out-of-State/Country . . . 3-7
Placard Fee . . . 3-8
Length of Time Placards are Valid . . . 3-8
Limitations . . . 3-8
Application Information . . . 3-8
Driver License or Identification Number Required . . . 3-8
Proof of Disability . . . 3-9
3.9 Institutions, Facilities, & Residential Retirement Communities . . . 3-9
Institutional Parking Placards . . . 3-10
3.10 Lost or Destroyed Placard . . . 3-11
3.11 Renewal . . . 3-11
3.12 Placard Database . . . 3-11
County Retention of VTR-214 Records . . . 3-12
3.13 Parking Privileges . . . 3-12
Blue and Red Placards . . . 3-13
Disabled Person License Plates . . . 3-13
Disabled Veteran License Plates . . . 3-13
Parking Fees . . . 3-14
3.14 Veterans with Disabilities . . . 3-14
3.15 Enforcement . . . 3-14
3.16 Enforcement by Appointed Persons . . . 3-15
3.17 Offenses . . . 3-15
3.18 Counterfeit Placards . . . 3-17
3.19 Seizure and Revocation of Placards . . . 3-17
Seizures . . . 3-18
Appealing a Seizure . . . 3-18

Chapter 4 Driver's Privacy Protection Act . . . 4-1
4.1 Release of Vehicle Registration Information . . . 4-1
Inquiries . . . 4-1
Exceptions . . . 4-2
Request for Vehicle Information from Incarcerated Individuals . . . 4-3
Permissible Inquiries . . . 4-3
4.2 Motor Vehicle Records Disclosure Act . . . 4-4
Short Title . . . 4-4
Purpose . . . 4-4
Definitions . . . 4-4
4.3 Release of Personal Motor Vehicle Records Information . . . 4-5
Required Disclosure . . . 4-5
Required Disclosure with Consent . . . 4-6
4.4 Permitted Disclosures . . . 4-6
4.5 Thumb or Finger Images . . . 4-8
4.6 Fees . . . 4-8
4.7 Additional Conditions . . . 4-8
4.8 Resale or Redisclosure . . . 4-9
4.9 Organization of Records . . . 4-9
4.10 False Representation Penalties . . . 4-9
4.11 Ineligible Persons . . . 4-10
4.12 Federal DPPA and Texas MVRDA . . . 4-10
Terms Used in this Section . . . 4-10
Certification of a Required or Permitted Use . . . 4-10
Express Written Consent . . . 4-10
Penalties . . . 4-12

Written Request Required 4-12
Retention of Requests for Personal Information 4-13
Distribution of Surveys, Marketing, or Solicitation 4-13
Resale and Redisclosure of Personal Information 4-13
Electronic Access to Texas Motor Vehicle Records 4-13
Guidelines for Release of Personal Information 4-13
Faxed Requests for Information 4-14
Title and Registration Transactions 4-14
Microfilm Documents/Title Histories 4-14
Court Order/Subpoena 4-14
Written Responses to Inquiries or Correspondence 4-15
Written Responses to Inquiries or Correspondence 4-15
Requests from Law Enforcement Agencies 4-15
4.13 In Summary 4-15
Phone/E-mail/Written Requests 4-15

Chapter 5 Emissions 5-1
5.1 Motor Vehicle Emissions Inspection and Maintenance Requirements 5-1
Vehicles Subject To Program 5-2
Failing Vehicles 5-2
Vehicles Not Subject to the Program 5-3
5.2 Texas Emissions Reduction Plan Surcharge 5-4
Fees 5-4
5.3 County Emissions Chart 5-5

Chapter 6 Exempt License Plates 6-1
6.1 General Provisions 6-1
Standard Exempt License Plates 6-5
6.2 Application for Standard Exempt License Plates 6-6
Political Subdivision 6-6
U.S. Government Vehicles 6-6
Commercial Transportation Company - School Bus 6-7
Fire Fighting Vehicles 6-7
Marine Law Enforcement 6-7
Machinery Type Vehicles 6-8
Emergency Medical Services (EMS) 6-8
Civil Air Patrol 6-8
Leased Vehicles 6-9
Driver Education 6-9
Abandoned/Seized Vehicles 6-9
Replacements 6-9
Weight 6-10
6.3 Regular Exempt License Plates 6-10
6.4 Alias Law Enforcement Vehicles 6-11

Chapter 7 Farm Vehicles 7-1
7.1 Vehicle Transporting Seasonal Agricultural Products 7-1
7.2 Seasonal Agricultural Vehicle Offense 7-1
Seasonal Agricultural Registration 7-2
Vehicle Plate Requirements 7-2
Seasonal Agricultural Registration Vehicle Types 7-2
Vehicle Registration Fees 7-2

Example County Procedure . . . 7-3
Seasonal Agriculture Expiration . . . 7-3
Seasonal Agriculture Replacements . . . 7-3
Exchanging Seasonal Registration . . . 7-3
Seasonal Agricultural Registration Requirements . . . 7-4
7.3 Commercial Farm Motor Vehicle . . . 7-4
7.4 Commercial Motor Vehicles Used on the Farm Offense . . . 7-5
Farm Truck and Farm Truck-Tractor Registration . . . 7-5
Owner's Responsibilities . . . 7-6
Out-of-State Vehicles . . . 7-6
Farm Truck and Farm Truck-Tractor License Plates Restrictions . . . 7-6
Farm Trailers with Living Quarters . . . 7-7
Registration . . . 7-7
Farm Vehicle Violations . . . 7-7
7.5 Transports and Fertilizer Spreaders . . . 7-8
Fertilizer Truck License Plates . . . 7-8
Eligibility . . . 7-8
Exchanges . . . 7-8
7.6 Farm Vehicles Excess Weight . . . 7-8
Temporary Additional Weight Permits . . . 7-9
Temporary Additional Weight Permit Example . . . 7-10
Registration Number . . . 7-10
7.7 Farm Vehicles . . . 7-11
Operating Temporarily on a Highway . . . 7-12
Implements of Husbandry . . . 7-12
Farm Trailers and Semitrailers . . . 7-13
Apprehensions . . . 7-15
Replacement . . . 7-15
Non-qualifying . . . 7-16
7.8 Cotton Vehicles . . . 7-16
Initial Issuance . . . 7-16
Renewal . . . 7-17
Replacement . . . 7-17
Transfer . . . 7-17

Chapter 8 Additional and Voluntary Fees . . . 8-1
8.1 Automation Fee . . . 8-1
8.2 Diesel Fee . . . 8-1
8.3 Registration - DPS Fee . . . 8-2
8.4 Delinquent Fees . . . 8-3
8.5 Optional County Road and Bridge Fund Fees . . . 8-4
Optional County Fees . . . 8-4
8.6 Optional County Child Safety Fees . . . 8-6
8.7 Optional County Fee for Transportation Projects . . . 8-7
Mobility Fee . . . 8-7
8.8 Voluntary Assessment for Young Farmer Loan Guarantees . . . 8-8
Young Farmer Loan Guarantee Program . . . 8-8
8.9 Voluntary Fee (Organ Donor) Glenda Dawson Donate Life-Texas Registry . . . 8-9
8.10 Voluntary Donation to Veterans' Assistance Fund . . . 8-10
8.11 Voluntary Donation to Parks and Wildlife Department . . . 8-11
8.12 Disposition of Certain Voluntary Contributions . . . 8-11

Chapter 9 Registration Fees 9-1
9.1 Passenger Car, Municipal and Private Bus Fees 9-1
Registration Fees 9-1
Vehicles that Receive the General Issue License Plate 9-1
Passenger Vehicle Plate Issuance 9-1
Vehicles to be Registered with Passenger License Plates 9-2
Optional Passenger Registration 9-2
Changes in Vehicle Weight 9-2
9.2 Municipal and Private Buses 9-3
City Bus 9-3
Private Buses 9-3
9.3 Trailer or Semitrailer Fees 9-3
Eligibility for Trailer, Semitrailer, or Token Trailer License Plates 9-4
Trailer Type Definitions 9-4
Issuing Trailer License Plates 9-5
Vehicle Identification Number (VIN) 9-5
Weight 9-5
Token Trailers 9-5
Custom Trailers with Living Quarters 9-6
Hybrid Trailers 9-6
Travel Trailers 9-7
Travel Trailer Fees 9-7
Vehicles Eligible for Travel Trailer Plates 9-7
Gross Weight 9-7
Shipping Weight 9-7
Establishing Weight 9-8
Recreational Vehicles 9-8
Square Footage 9-9
Park Models 9-9
Camper Trailers 9-9
Utility Trailers 9-9
Manufactured Housing 9-9
Mobile Office Trailers 9-10
Trucks and truck-tractors 9-10
9.4 Motorcycle or Moped Fees 9-10
9.5 Mopeds 9-10

Chapter 10 General Provisions 10-1
10.1 Definitions 10-1
Commercial Motor Vehicle 10-5
Credit Card 10-6
Debit Card 10-6
Electric Bicycle 10-6
Electric Personal Assistive Mobility Device 10-6
Farm Tractor 10-7
Gross Vehicle Weight 10-7
Implement of Husbandry 10-7
Light Truck 10-7
Moped 10-7
Motorcycle 10-8
Motorized Mobility Device 10-8
Oil Well Servicing 10-9
Passenger Car 10-9

Travel Trailer 10-9
10.2 Rules and Forms 10-11
Administrative Rules 10-11
10.3 Registration by Political Subdivision Prohibited 10-11
10.4 Vehicles Operated on Public Highways Separating Real Property 10-11
10.5 Nonresident Operated Vehicles 10-12
10.6 Design of Registration Insignia 10-12
10.7 Cost of Manufacturing 10-12
10.8 International Registration Plan 10-13
Who Must Obtain IRP Registration 10-14
10.9 Disputed Classification of Vehicle 10-14
10.10 Department Responsibilities 10-14
10.11 County Tax Assessor-Collector Operations 10-15
Deputies 10-15
Lease of Additional Computer Equipment 10-15

Chapter 11 Insurance 11-1
11.1 Evidence of Financial Responsibility 11-1
Proof of Financial Responsibility 11-2
Requirement of Financial Responsibility 11-3
11.2 Minimum Coverage Amounts 11-4
Initial Registration and Transfer of Title Requirements 11-4
11.3 Motor Vehicle Liability Insurance Requirements 11-5
Out-of-State or Out-of-Country Proof of Insurance 11-5
No Fault Insurance 11-5
Motorcycle Insurance 11-5
11.4 Incomplete Evidence 11-5
11.5 Owners Providing Evidence for Others 11-5
Situations Not Requiring Proof of Insurance 11-6
11.6 Identification and Insurance Programs Fees 11-7
11.7 TexasSure Vehicle Insurance Verification 11-8

Chapter 12 Off-Highway, Log Loader, Forestry & Miscellaneous 12-1
12.1 All-terrain Vehicles 12-1
Operation of ATV 12-2
Off-Highway Vehicle Decal 12-3
Safety Certificate for Operation on Public Property 12-3
12.2 Recreational Off-Highway Vehicles (ROV) 12-3
Operation of ROV 12-3
Off-Highway Vehicle Decal 12-4
Safety Certificate for Operation on Public Property 12-4
12.3 Neighborhood Electric Vehicles (NEV) 12-4
Registration and Title 12-5
Evidence of Ownership 12-6
Operation of NEVs 12-7
12.4 Golf Carts and Utility Vehicles 12-7
12.5 Pocket Bike or Minimotorbike 12-10
12.6 Motor Assisted Scooter and Minimotorbike 12-10
Operation on Roadways 12-11
Unsafe Vehicles 12-11
12.7 Log Loader Vehicle 12-11
Log Loader Vehicle; Penalties 12-12

Log Loader Plate Applications 12-12
Log Loader Plate Refunds 12-12
Log Loader Plate Renewal 12-12
Log Loader Plate Replacement 12-13
12.8 Forestry Vehicles 12-13
Plate Application 12-14
Plate Renewals 12-14
Plate Replacements 12-15
Plate Transfers Not Allowed 12-15
12.9 Other Vehicles 12-15
12.10 Oil Well Servicing and Drilling Machinery 12-15
Permit License Plates 12-15
Oversize or Overweight Vehicles 12-16
Application 12-16
Renewal 12-17
Replacement 12-17
Penalties 12-17
12.11 Registration of Vehicle 12-17
12.12 Vehicles Subject to Registration or Eligible for Distinguishing License Plates 12-18
Drilling and Construction Equipment 12-18
Machinery License Plates 12-20
Water Well Vehicles 12-20
Construction Machinery 12-21
Issuing Machinery License Plates 12-23
Transfer of Machinery License Plates 12-24
Restriction 12-24

Chapter 13 Offenses and Penalties 13-1
13.1 General Penalty 13-1
13.2 Improperly Registered Vehicles 13-1
Examples of Registration Violations 13-2
Valid Reasons for Violations 13-2
Apprehensions 13-2
13.3 Vehicles without Registration Insignia 13-3
Wrong, Fictitious, or Unreadable Registration Insignia 13-3
Deceptively Similar Insignia 13-4
Vehicles without License Plates 13-4
13.4 Expired License Plates 13-5
Five Day Grace Period 13-5
Penalty Fee(s) 13-5
Unregistered or Expired Apprehended Vehicles 13-5
All Apprehended Vehicles 13-5
Out of County 13-6
Out-of-State Vehicles Apprehended in Texas 13-6
DOT Proof Required 13-6
Title Only Vehicles Apprehended 13-6
13.5 Vehicles with Wrong License Plates 13-6
13.6 Wrong, Fictitious, or Unreadable Plates 13-7
Deceptively Similar License Plate 13-8
13.7 Falsification or Forgery 13-8
13.8 Bribery of County Officer 13-9
13.9 County Assessor-Collector Violations 13-9
13.10 Driver’s License and Vehicle Registration Suspension 13-9

Texas Motor Vehicle Safety Responsibility Act 13-10

Chapter 14 Application for Registration 14-1
14.1 General Provisions 14-1
Owner Definitions 14-2
Owner 14-2
Legal Right of Possession 14-2
Leased Vehicles 14-3
Obtaining a Negotiable Certificate of Title without Texas Registration (Title Only) 14-3
Salvage or Nonrepairable Vehicles 14-3
14.2 Application for Registration and Certain Permits 14-4
Certificate of Title Act 14-5
Registration Renewal Period 14-5
Registration Renewal Notice Form 14-5
Addresses 14-6
Address Confidentiality Program 14-6
National Change of Address 14-6
Registration by Mail 14-7
Plates and Stickers Lost In Mail 14-7
Renewal without Registration Renewal Notice 14-7
Out-of-State Registered Vehicles 14-7
Registration Purposes Only 14-7
14.3 Title Required for Registration 14-8
14.4 Initial Registration 14-8
Individual Residency Requirements 14-8
Corporation Requirements 14-9
Partnership Requirements 14-9
Construction Company Requirements 14-9
Vehicles Acquired Outside the Buyer's County of Residence 14-9
Violation and Penalty 14-10
14.5 Transfer of Registration 14-10
14.6 Registration Year 14-10
Staggered Registration 14-11
Multiyear Registration 14-11
Vehicle Classifications 14-11
Vehicle Color 14-12
Assigning Registration Periods 14-12
DPS Inspection Certificate 14-13
Renewals 14-13
Reregistration under Different Registration Classification 14-13
14.7 Owner Designated Registration Periods 14-13
14.8 License Plate or Registration Insignia Issuance 14-14
14.9 Registration Receipt 14-15
Duplicate Receipts 14-16
Registration Inquiry Receipts 14-16
14.10 License Plate or Registration Insignia Replacement 14-16
Mandatory “Needs” Plate Replacement 14-17
Plate Replacements 14-17
14.11 Unsafe Vehicles 14-18
14.12 Refusal to Register Vehicles (Scofflaws) 14-18
Failure to Appear or Pay on a City Violation of Traffic Law 14-18
Flagging Motor Vehicle Record 14-22
Clearing Motor Vehicle Record 14-22

Transfer by Licensed Motor Vehicle Dealers 14-22
Delinquent Payment of Local Authority Civil Penalties 14-23
14.13 Military Service on Registration Requirements 14-23
14.14 Active Duty Military Personnel 14-24

Chapter 15 Size and Weight 15-1
15.1 Manufactured Housing 15-1
Definitions 15-1
Over Width/Over Length Permits 15-1
15.2 Determination of Weight 15-1
15.3 Definitions 15-2
15.4 Heavy Vehicles Registration Receipts 15-3
15.5 Other State Reciprocal Permits 15-3
15.6 Maximum Width 15-4
15.7 Additional Gross Weight Registration 15-5
15.8 Width Exceptions 15-5
15.9 Length Exceptions 15-6
15.10 Recreational Vehicle Width Limitations 15-7

Chapter 16 Temporary Permits 16-1
16.1 Temporary 72-Hour or 144-Hour Permits 16-1
Weights 16-3
Purchasing In Advance 16-3
Application 16-4
Combination Truck 72/144-Hour Permit Quick Reference 16-4
16.2 One-Trip (single trip) or 30-Day Trip Permits 16-6
Operation of One-Trip Permit Vehicle: Offense 16-7
One-Trip Permits 16-7
Requirements 16-8
30-Day Permits 16-8
16.3 Nonresident-owned Farm Transport Vehicles 16-9
Nonresident-owned Farm Transport Vehicles: Offense 16-10
Nonresident Agricultural Permit - Texas Products 16-10
Nonresidents Agricultural Permit - Out-of-State Products 16-11
16.4 Vehicle Transit Permit - Private Party Sale 16-12
16.5 Temporary Permit (Lights Out) 16-12

Chapter 17 Transfer of Registration when Applying for Title 17-1
17.1 Notice of Sale or Transfer 17-1
17.2 Dealer Sales 17-1
17.3 Invalidation of Registration 17-3
17.4 Delivery of Receipt and Title to Transferee 17-3
Used Vehicles 17-3
17.5 Plate to Owner Transactions 17-4
Transfer Eligibility 17-5
Example Scenarios 17-6
Title Transfer with License Plates 17-6
Exchange license plates to a vehicle already titled in owner's name 17-6
17.6 Transfer of Used Vehicle 17-6
Sale of Vehicle 17-7

Chapter 18 Specialty and Personalized Plates . . . 18-1
18.1 Specialty License Plates . . . 18-1
General Provisions . . . 18-1
Application and Fees . . . 18-2
Mailing Specialty License Plates . . . 18-2
Eligible Vehicles . . . 18-2
Personalized Specialty Plates . . . 18-2
Refunds . . . 18-2
Synchronizing Specialty License Plate Fees and Motor Vehicle Registration . . . 18-2
Texas Temporary Insignia for Specialty Plates . . . 18-3
Specialty Plates Reference . . . 18-3
New Specialty License Plates Creation . . . 18-3
Specialty Plates Authorized After January 1, 1999 . . . 18-4
18.2 Personalized License Plates . . . 18-5
General Provisions . . . 18-5
Criteria for Approval . . . 18-5
Leased Vehicle . . . 18-5
Registration Period . . . 18-5
Assigning to a Vehicle . . . 18-6
Assigning to a Vehicle Currently Registered . . . 18-6
Renewal . . . 18-6
Transfer . . . 18-6
Transfer Owner Responsibilities . . . 18-7
Replacement Specialty License Plates . . . 18-7
Replacement Registration Stickers . . . 18-7
Penalty . . . 18-7
Disabled Persons Specialty License Plate . . . 18-8
Dealer Personalized License Plates . . . 18-8
Fees . . . 18-8
Replacement Fees . . . 18-8
18.3 Souvenir License Plates . . . 18-8
License Plate Pick Up by Non-Owner - Gift Plates . . . 18-9

Chapter 19 Military Specialty License Plates . . . 19-1
19.1 General Provisions . . . 19-1
19.2 General Application Procedures . . . 19-1
Application and Fees . . . 19-1
Title Requirements . . . 19-3
Application . . . 19-3
International Symbol of Access . . . 19-3
Renewals . . . 19-4
Replacement Plates . . . 19-4
Transfers . . . 19-4
Surviving Spouse . . . 19-4
Initial Application . . . 19-5
19.3 Disabled Veteran Specialty License Plates . . . 19-5
Veterans with Disabilities . . . 19-5
Disabled Veteran Eligibility . . . 19-7
Disabled Veteran License Plates . . . 19-7
Disabled Veteran Organizations . . . 19-7
Parking Privileges . . . 19-8
19.4 Exemption from Parking Fees . . . 19-9

Chapter 20 Restricted Distribution Specialty License Plates 20-1
20.1 Restricted Plates Quick Reference 20-1
20.2 State Officials and Judges 20-2
Eligible Persons 20-4
Standard Registration Renewal Notice 20-4
Fee 20-4
Plates are Not Transferable 20-4
Replacement 20-5
Personalized/Specialty State Official License Plates 20-5
Plates with International Symbol of Access 20-5
State Officials Leaving Office 20-5
20.3 Occupational License Plates 20-5
Fees 20-6
20.4 Organizational License Plates 20-7
American Legion 20-7
20.5 Gold Star 20-7
Eligible Persons 20-7
Application 20-7
20.6 Honorary Consuls 20-8
Eligible Persons 20-8
Application 20-8
Renewal 20-8
Replacements 20-8
Vehicle Sold 20-9
Cancellation 20-9
Transfers 20-9
20.7 Foreign Organization Vehicles 20-9
Eligible Persons 20-9
Application 20-9
Replacement 20-10
Vehicles Sold 20-10
Cancellation 20-10
Transfers 20-10
20.8 Texas Association of Realtors 20-10

Chapter 21 Miscellaneous Specialty License Plates 21-1
21.1 Antique and Former Military 21-1
Eligibility 21-2
Antique Vehicle 21-2
Former Military Vehicle 21-2
Exemptions and Restrictions 21-3
Plate Fees 21-3
Antique Vehicle Application 21-3
Former Military Vehicle Application 21-5
Renewal 21-5
Replacement 21-5
Vehicle Sold 21-5
21.2 Classic Motor Vehicles and Travel Trailer; Custom Vehicles; Street Rods 21-6
Classic Application 21-7
Use of Old Plates 21-7
Renewal 21-8
Replacement 21-8
Vehicle Sold 21-8

Custom Vehicle and Street Rod 21-8
Application 21-8
Renewal 21-9
Replacement 21-9
Vehicle Sold 21-9
21.3 Nonprofit Disaster Relief Organizations 21-9
Application 21-10
Replacement 21-10
Vehicle Sold 21-11
21.4 Religious Organizations Trailers and Semitrailers 21-11
Eligibility 21-11
Application 21-11
Inscription Required 21-12
Replacement 21-12
Trailer/Semitrailer Sold 21-12
21.5 Personalized Dealer License Plates 21-12

Appendix 1-1
Registration Codes and Classes 1-1

LIST OF TABLES

Table 1-1 County/State Funds Category Splits Table 1-15
Table 2-1 Minimum Carrying Capacity for Trucks 2-8
Table 2-2 Permissible Weight Table 2-13
Table 2-3 Size Limitations 2-14
Table 5-1 Emissions Counties Chart 5-5
Table 7-1 Farm Trailer Registration 7-7
Table 7-2 Additional Fees 7-10
Table 7-3 Temporary Additional Weight 7-10
Table 11-1 Insurance Not Required Quick Reference 11-7
Table 16-1 Truck Combination 72/144-Hour Permit Quick Reference 16-4
Table 19-1 Military and Disabled Veteran License Plate Quick Reference 19-2
Table 20-1 Restricted Plates Quick Reference 20-1

Chapter 1

ACCOUNTING

This chapter contains the following sections:

- ***1.1*** General Provisions
- ***1.2*** Checks Drawn Against Insufficient Funds
- ***1.3*** Credit for Destroyed Vehicles
- ***1.4*** Refund of Overcharged Registration Fee
- ***1.5*** Fund Category Splits

1.1 General Provisions

Registration Year

Transportation Code, Sec. 502.044. Registration Period.

(a) The department shall designate a vehicle registration year of 12 consecutive months to begin on the first day of a calendar month and end on the last day of the 12th calendar month.

(b) The department shall designate vehicle registration years so as to distribute the work of the department and the county assessor-collectors as uniformly as possible throughout the year. The department may establish separate registration years for any vehicle or classification of vehicle and may adopt rules to administer the year-round registration system.

(c) The department may designate a registration period of less than 12 months to be computed at a rate of one-twelfth the annual registration fee multiplied by the number of months in the registration period. The board by rule may allow payment of registration fees for a designated period not to exceed the amount of time determined by department rule.

(d) The department shall issue a registration receipt and registration insignia that are valid until the expiration of the designated period.

(e) The department shall use the date of sale of the vehicle in designating the registration year for a vehicle for which registration is applied for under Section 501.0234.

The term “Motor Vehicle Registration Year” means a 12-month period and provides for the collection of registration renewal fees during the two-month period immediately preceding the registration year. The fee required during this two-month renewal period is the fee in effect the first day of the motor vehicle registration year.

Schedule of Registration Fees

Transportation Code, Sec. 502.190. Schedule of Registration Fees.

The department shall post a complete schedule of registration fees on the Internet.

Collection of Fees

Transportation Code, Sec. 502.191. Collection of Fees.

(a) A person may not collect a registration fee under this chapter unless the person is:

(1) an officer or employee of the department; or

(2) a county assessor-collector or a deputy county assessor-collector.

(b) The department may accept electronic payment by electronic funds transfer, credit card, or debit card of any fee that the department is authorized to collect under this chapter.

(c) The department may collect a fee for processing a payment by electronic funds transfer, credit card, or debit card in an amount not to exceed the amount of the charges incurred by the department to process the payment.

(d) The department may collect the fee set under Section 2054.2591, Government Code, from a person making a payment by electronic funds transfer, credit card, or debit card through the online project implemented under Section 2054.252, Government Code.

(e) If, for any reason, the payment of a fee under this chapter by electronic funds transfer, credit card, or debit card is not honored by the funding institution or by the electronic funds transfer, credit card, or debit card company on which the funds are drawn, the department may collect from the person who owes the fee being collected a service charge that is for the collection of that original amount and is in addition to the original fee. The amount of the service charge must be reasonably related to the expense incurred by the department in collecting the original amount.

(f) The department may not collect a fee under Subsection (c) or (d) if the department collects a fee under Section 502.1911.

Transportation Code, Sec. 502.1911. Registration Processing and Handling Fee.

(a) The department may collect a fee, in addition to other registration fees for the issuance of a license plate, a set of license plates, or another device used as the registration insignia, to cover the expenses of collecting those registration fees, including a service charge for registration by mail.

(b) The board by rule shall set the fee in an amount that:

(1) includes the fee established under Section 502.356(a); and

(2) is sufficient to cover the expenses associated with collecting registration fees by:

(A) the department;

(B) a county tax assessor-collector;

(C) a private entity with which a county tax assessor-collector contracts under Section 502.197; or

(D) a deputy assessor-collector that is deputized in accordance with board rule under Section 520.0071.

(c) The county tax assessor-collector, a private entity with which a county tax assessor-collector contracts under Section 502.197, or a deputy assessor-collector may retain a portion of the fee collected under Subsection (b) as provided by board rule. Remaining amounts collected under this section shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

Transfer of Registration

Transportation Code, Sec. 502.192.Transfer Fee.

The purchaser of a used motor vehicle shall pay, in addition to any fee required under Chapter 501 for the transfer of title, a transfer fee of $2.50 for the transfer of the registration of the motor vehicle. The county assessor-collector may retain as commission for services provided under this subchapter half of each transfer fee collected. The portion of each transfer fee not retained by the county assessor-collector shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

Statute requires collection of the $2.50 Transfer Fee if Texas registration is current on the vehicle at the time of title transfer. In a private party sale, the fee is collected even if the buyer renews registration on the vehicle at the time of transfer. The collection of the $2.50 Transfer Fee does not apply to vehicles sold by dealers since they are required to collect 12 months of registration at time of sale.

Deposits to the State Highway Fund

Transportation Code, Sec. 502.196. Deposit of Registration Fees in State Highway Fund.

Except as otherwise provided by this chapter, the board and the department shall deposit all money received from registration fees in the state treasury to the credit of the state highway fund.

Mail or Electronic Registration Service Charge

Transportation Code, Sec. 502.197. Registration by Mail or Electronic Means; Service Charge.

(a) [2 Versions: Effective until the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] A county assessor-collector may collect a service charge of $1 from each applicant registering a vehicle by mail. The service charge shall be used to pay the costs of handling and postage to mail the registration receipt and insignia to the applicant.

(a) [2 Versions: Effective date contingent on the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] A county assessor-collector may retain a service charge in the amount determined by the board under Section 502.1911 from each applicant registering a vehicle by mail. The service charge shall be used to pay the costs of handling and postage to mail the registration receipt and insignia to the applicant.

(b) [2 Versions: Effective until the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] With the approval of the commissioners court of a county, a county assessor-collector may contract with a private entity to enable an applicant for registration to use an electronic off-premises location. A private entity may charge an applicant not more than $1 for the service provided.

(b) [2 Versions: Effective date contingent on the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] With the approval of the commissioners court of a county, a county assessor-collector may contract with a private entity to enable an applicant for registration to use an electronic off-premises location. A private entity may retain an amount determined by the board under Section 502.1911 for the service provided.

(c) The department may adopt rules to cover the timely application for and issuance of registration receipts and insignia by mail or through an electronic off-premises location.

Disposition of Fees

Transportation Code, Sec. 502.198. Disposition of Fees Generally.

(a) Except as provided by Sections 502.058, 502.060, 502.1911, 502.192, and 502.357, this section applies to all fees collected by a county assessor-collector under this chapter.

(b) Each Monday, a county assessor-collector shall credit to the county road and bridge fund an amount equal to the net collections made during the preceding week until the amount so credited for the calendar year equals the total of:

(1) $60,000;

(2) $350 for each mile of county road maintained by the county, according to the most recent information available from the department, not to exceed 500 miles; and

(3) an additional amount of fees equal to the amount calculated under Section 502.1981.

(c) After the credits to the county road and bridge fund equal the total computed under Subsection (b), each Monday the county assessor-collector shall:

(1) credit to the county road and bridge fund an amount equal to 50 percent of the net collections made during the preceding week, until the amount so credited for the calendar year equals $125,000; and

(2) send to the department an amount equal to 50 percent of those collections for deposit to the credit of the state highway fund.

(d) After the credits to the county road and bridge fund equal the total amounts computed under Subsections (b) and (c)(1), each Monday the county assessor-collector shall send to the department all collections made during the preceding week for deposit to the credit of the state highway fund.

County Additional Fees

Transportation Code, Sec. 502.1981. Calculation of Additional Fee Amounts Retained by a County.

(a) The county tax assessor-collector each calendar year shall calculate five percent of the tax and penalties collected by the county tax assessor-collector under Chapter 152, Tax Code, in the preceding calendar year. In addition, the county tax assessor-collector shall calculate each calendar year an amount equal to five percent of the tax and penalties that the comptroller:

(1) collected under Section 152.047, Tax Code, in the preceding calendar year; and

(2) determines are attributable to sales in the county.

(b) A county tax assessor-collector shall retain under Section 502.198(b) fees based on the following percentage of the amounts calculated under Subsection (a) during each of the following fiscal years:

(1) in fiscal year 2012, 30 percent;

(2) in fiscal year 2013, 20 percent;

(3) in fiscal year 2014, 10 percent;

(4) in fiscal year 2015 and succeeding years, 0 percent.

(c) The county shall credit the amounts retained under Subsection (b) to the county road and bridge fund. Money credited to the fund under this section may only be used for:

(1) county road construction, maintenance, and repair;

(2) bridge construction, maintenance, and repair;

(3) the purchase of right-of-way for road or highway purposes; or

(4) the relocation of utilities for road or highway purposes.

Deposit of Fees in Interest Bearing Account

Transportation Code, Sec. 502.1983. Deposit of Fees in Interest-Bearing Account.

(a) Except as provided by Section 502.357, a county assessor-collector may:

(1) deposit the fees in an interest-bearing account or certificate in the county depository; and

(2) send the fees to the department not later than the 34th day after the date the fees are due under Section 502.357.

(b) The county owns all interest earned on fees deposited under this section. The county treasurer shall credit the interest to the county general fund.

Interest on Fees

Transportation Code, Sec. 502.1984. Interest on Fees.

(a) A fee required to be sent to the department under this chapter bears interest for the benefit of the state highway fund or the Texas Department of Motor Vehicles fund, as applicable, at an annual rate of 10 percent beginning on the 60th day after the date the county assessor-collector collects the fee.

(b) The department shall audit the registration and transfer fees collected and disbursed by each county assessor-collector and shall determine the exact amount of interest due on any fee not sent to the department.

(c) The state has a claim against a county assessor-collector and the sureties on the assessor-collector's official bond for the amount of interest due on a fee.

Use of County Registration Fees

Transportation Code, Sec. 502.1985. Use of Registration Fees Retained By County.

(a) Money credited to the county road and bridge fund under Section 502.198 may not be used to pay the compensation of the county judge or a county commissioner. The money may be used only for the construction and maintenance of lateral roads in the county, under the supervision of the county engineer.

(b) If there is not a county engineer, the commissioners court of the county may require the services of the department's district engineer or resident engineer to supervise the construction and surveying of lateral roads in the county.

(c) A county may use money allocated to it under this chapter to:

(1) pay obligations issued in the construction or improvement of any roads, including state highways in the county;

(2) improve the roads in the county road system; or

(3) construct new roads.

(d) To the maximum extent possible, contracts for roads constructed by a county using funds provided under this chapter should be awarded by competitive bids.

Distribution of Fees between State and Counties

Transportation Code, Sec. 502.1986. Contingent Provision for Distribution of Fees Between State and Counties.

If the method of distributing vehicle registration fees collected under this chapter between the state and counties is declared invalid because of inequality of collection or distribution of those fees, 60 percent of each fee shall be distributed to the county collecting the fee and 40 percent shall be sent to the state in the manner provided by this chapter.

Electronic Transfer of Funds

Transportation Code, Sec. 502.199. Electronic Funds Transfer.

A county assessor-collector that transfers money to the department under this chapter shall transfer the money electronically.

Tax Assessor-Collector Compensation

Transportation Code, Sec. 520.006. Compensation of Assessor-Collector.

(a) [2 Versions: Effective until the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] A county assessor-collector shall receive a $1.90 for each receipt issued under Chapter 502.

(a) [2 Versions: Effective date contingent on the effective date of rules adopted by the board of the Texas Department of Motor Vehicles under Tex. Transp. Code 502.1911] A county assessor-collector shall retain an amount determined by the board under Section 502.1911 for each receipt issued under Chapter 502.

(a-1) A county assessor-collector collecting fees on behalf of a county that has been declared as a disaster area or that is closed for a protracted period of time as defined by the department for purposes of Section 501.023 or 502.040 may retain the commission for fees collected, but shall allocate the fees to the county declared as a disaster area or that is closed for a protracted period of time.

(b) A county assessor-collector who is compensated under this section shall pay the entire expense of issuing registration receipts and license plates under Chapter 501 or 502 from the compensation allowed under this section.

Contracts Between Counties

Transportation Code, Sec. 520.0061. Contracts Between Counties.

(a) A county tax assessor-collector, with approval of the commissioners court of the county by order, may enter into an agreement with one or more counties to perform mail-in or online registration or titling duties.

(b) A contract entered into under Subsection (a) may be terminated by a county that is a party to the contract.

Allocation of Fees

Transportation Code, Sec. 501.148. Allocation of Fees.

(a) The county assessor-collector may retain as commission for services provided under this subchapter half of each late fee.

(b) The county assessor-collector shall report and remit the balance of the fees collected to the department on Monday of each week as other registration fees are required to be reported and remitted. The department shall deposit the remitted fees in the state treasury to the credit of the Texas Department of Motor Vehicles fund.

(c) Of each late fee collected from a person who does not hold a general distinguishing number by the department under Subsection (b), $10 may be used only to fund a statewide public awareness campaign designed to inform and educate the public about the provisions of this chapter.

1.2 Checks Drawn Against Insufficient Funds

Transportation Code, Sec. 502.193. Payment by Check Drawn Against Insufficient Funds.

(a) A county assessor-collector who receives from any person a check or draft for payment of a registration fee for a registration year that has not ended that is returned unpaid because of insufficient funds or no funds in the bank or trust company to the credit of the drawer of the check or draft shall certify the fact to the sheriff or a constable or highway patrol officer in the county after attempts to contact the person fail to result in the collection of payment. The certification must be made before the 30th day after the date the check or draft is returned unpaid and:

(1) (be under the assessor-collector's official seal;

(2) include the name and address of the person who gave the check or draft;

(3) include the license plate number and make of the vehicle;

(4) be accompanied by the check or draft; and

(5) be accompanied by documentation of any attempt to contact the person and collect payment.

(b) On receiving a complaint under Subsection (a) from the county assessor-collector, the sheriff, constable, or highway patrol officer shall find the person who gave the check or draft, if the person is in the county, and demand immediate redemption of the check or draft from the person. If the person fails or refuses to redeem the check or draft, the sheriff, constable, or highway patrol officer shall:

(1) seize and remove the license plates and registration insignia from the vehicle; and

(2) return the license plates and registration insignia to the county assessor-collector.

This section of the law requires a tax assessor-collector to notify the sheriff, constable, or highway patrol officer when a customer gives a “hot” check in payment of a registration fee. They should then follow the procedures concerning the acceptance of personal checks and collection of dishonored checks.

Payment by Check

Local Government Code, Section 130, provides the county tax assessor-collector may accept checks for payment of motor vehicle registration fees.

- If a county tax assessor-collector chooses to accept personal checks for payment of registration fees, the applicant must furnish identification, preferably a driver license.

- Counties should record the driver license number (including state of issuance) and the license plate number on the front of the check (for example, Texas DL number - license plate number, phone number). Also include the Tax Collector's Transaction ID number.

Hot Check

A county tax assessor-collector must notify law enforcement about an insufficient funds check for payment of registration. Law enforcement is required to seize and remove the license plates and registration insignia (windshield or plate sticker) from the vehicle and return them to the county tax assessor-collector.

Most trailers and motorcycles will have the registration plate sticker affixed to the license plate, while most cars and trucks will require the registration insignia be removed from the inside of the vehicle's front windshield.

Counties should follow these procedures to obtain credit from the department for an unpaid hot check payment involved with registration fees:

1. Notify law enforcement before the 30th day after the date the check or draft is returned unpaid.
2. Take credit for check in system through the Hot Check Credit event.

   In addition to registration, the department authorizes credit for a dishonored check received by the county in payment of additional weight fees, transfer registration fees, delinquent transfer penalties, and replacement license fees with the following exception:

   - The purchase of additional weight or temporary additional weight is an addendum to the original registration and falls within the existing “hot check” policy. This applies even in situations when the time limit on the temporary additional weight receipt has expired.
3. Maintain a calendar year file of all dishonored checks. This file should contain:

   - the check or copy of it if original has been turned over to the District Attorney for collection,
   - a copy of letter to law enforcement,
   - a copy of the system Hot Check Credit Receipt, and
   - if check has been redeemed, the copy of Hot Check Redeemed Receipt.

   TxDMV will audit the county tax office files to verify that the documentation for the unredeemed dishonored checks is complete.
4. When payment is received on a dishonored check/draft and the license plates and sticker have been seized:

   - redeem through the Hot Check Redeemed event, and
   - issue replacement license plates/sticker and collect the statutory $6 replacement fee (registration sticker issued should reflect the same expiration month/year as previously issued).

The department will reject an application for transfer of title if a “Hot Check” remark appears in the motor vehicle record. In such instances, the applicant must pay the appropriate registration fee as of the date of application for 12 full months, unless the vehicle displays a plate that is prorated by statute. When the department processes the title application, it removes the “Hot Check” remark from the motor vehicle record.

Hot Check from Dealer

The procedure below should be used when your office receives notification of insufficient funds for a check submitted by a motor vehicle dealer for one or more transactions. This will allow your office to be credited for the appropriate amount without penalizing the purchaser by flagging their record with an "insufficient funds" remark.

- County staff should follow standard county insufficient funds procedures by reporting non- payment to the District Attorney's office, local Sheriff's office, or other appropriate office.
- Your office should also notify the Texas Comptroller of Public Accounts to inform them of the sales tax portion of the transaction.
- Go to the RTS Accounting menu, select "Hot Check Credit," and input the VIN to select the vehicle. From the Hot Check ACC004 screen, enter the required fees (Title, Registration, Additional Fees [Road & Bridge, Child Safety and Mobility Fee], Automation, Reg Fee-DPS, etc.).
- If there is more than one vehicle on the dealer's transaction that results in insufficient funds, the above procedure should be followed for all vehicles covered by the transaction.
- After 48 hours, the county should request that their Regional Service Center remove the insufficient funds remark from the system. If there was more than one vehicle on the dealer's transaction that results in insufficient funds, the county should request insufficient funds remarks be removed for all vehicles covered by the transaction.

1.3 Credit for Destroyed Vehicles

Transportation Code, Sec. 502.194. Credit for Registration Fee Paid on Motor Vehicle Subsequently Destroyed.

(a) The owner of a motor vehicle that is destroyed to the extent that it cannot afterwards be operated on a public highway is entitled to a registration fee credit if the prorated portion of the registration fee for the remainder of the registration year is more than $15. The owner must claim the credit by sending the registration fee receipt for the vehicle to the department.

(b) The department, on satisfactory proof that the vehicle is destroyed, shall issue a registration fee credit slip to the owner in an amount equal to the prorated portion of the registration fee for the remainder of the registration year. The owner, during the same or the next registration year, may use the registration fee credit slip as payment or part payment for the registration of another vehicle to the extent of the credit.

Registration Fee Credit

The department may issue a registration fee credit to the owner of any motor vehicle that has been destroyed to such an extent that it can no longer be operated (may be sold for parts or crushed), if the prorated portion of the registration fee for the remainder of the registration year is more than $15.

The owner should submit an application for registration fee credit by completing a *Registration Fee Credit Voucher*, **Form VTR-50-A** directly to a TxDMV Regional Service Center, along with the following:

- The current license plate, registration sticker, if applicable, and registration receipt issued for the destroyed vehicle.
- The negotiable certificate of title covering the destroyed vehicle. The Certificate of Title or Receipt for Certificate of Title Application must have been issued in the name of the person applying for the registration fee credit prior to the time of destruction of the vehicle. A title that has been assigned to the person applying for the registration fee credit is not acceptable.
- If the vehicle owner has surrendered the title to an insurance company, a written statement from the owner to that effect will be sufficient. If all required information is submitted, the TxDMV Regional Service Center will issue the *Registration Fee Credit Voucher*, **Form VTR-50-A**.
- Evidence that the vehicle is inoperable, **must** include:
  - a photograph of the vehicle taken after its destruction.
  - a copy of the accident report made by the law enforcement official who investigated the accident. There are also many other reasons a vehicle could be totaled where police were not involved such as storm/wind/tree/hail damage or a fire loss. This list is not all inclusive, however; if there is not an accident report then a statement from the insurance company stating the reason for totaling the vehicle would be sufficient.
  - a statement from the agency which handled the investigation verifying the date of destruction, where and how the vehicle was destroyed, and the extent of damage to the vehicle.

If the vehicle was not involved in an accident and a law enforcement officer did not make an investigation, the owner should submit a notarized 'affidavit of fact' giving full details as to when, where and how the vehicle was destroyed.

The TxDMV Regional Service Center issues registration fee credit in the form of a *Registration Fee Credit Voucher*, **Form VTR-50-A.** The original is issued to the owner and the remaining copies are filed.

Persons/companies that have been issued a credit voucher may apply the credit toward the purchase of registration on another vehicle or vehicles owned by the same person/company to the extent of the total fee authorized in the credit voucher. The credit voucher may be used during the year of issuance or the next year.

When a credit voucher has been used as credit toward the purchase of registration for another vehicle the county tax assessor-collector should record the following on the voucher:

- The plate number and registration expiration date of the newly registered vehicle,
- The amount of credit applied to the new registration, and
- The balance of credit due, if any (county may not refund the cash difference).

Return each voucher to the Regional Service Center that issued the voucher for examination. The county should only accept an original Registration Fee Credit Voucher in payment of registration fees. Do not accept an altered, duplicated or reproduced credit voucher.

- Staple the Registration Fee Credit Voucher to the registration receipt or receipts to which credit was applied and submit to the TxDMV Regional Service Center that issued the original voucher.
- The owner does not have to use the entire registration fee credit at one time. If an owner applies only a portion of a registration fee credit to the registration of another vehicle, or vehicles, the Regional Service Center issues a supplemental credit voucher for the balance of credit due when the county reports the original credit voucher to the department, which does not issue a supplemental credit voucher for balances of less than $1.
- Issuance of the new registration receipt, the “total fee” shows only that amount of money actually collected for such registration, if any, and a notation on the face of the registration receipt shows the full amount of the registration fee and the amount of credit allowed.
- When a customer applies Registration Fee Credit Voucher as full or partial payment of the applicant's registration fee, staple the Registration Fee Credit Voucher to the system receipt and submit them to the TxDMV Regional Service Center. The department will mail a supplemental credit voucher to the owner, if there are unused credit fees remaining.

Owners must submit a separate registration fee credit application for each destroyed vehicle. Upon approval, the owner will receive a separate credit voucher for each vehicle. However, in the case of a destroyed truck-tractor and semitrailer registered in combination, the department only issues the Registration Fee Credit Voucher on the combination registration. The department does not approve a registration fee credit application covering a semitrailer registered with a “Token Trailer” plate since the fee for such plate is not more than $15.

Statement of Surrender of License Plates and Title for Destroyed Vehicle

- If a negotiable title is surrendered, a *Statement of Surrender of License Plates and Title for Destroyed Vehicle*, **Form VTR-50-B**, is issued by the TxDMV Regional Service Center and mailed to the applicant. A statement from the insurance company stating the title, license plates and registration sticker was surrendered and destroyed can also be accepted in lieu of the owner surrendering the required documents to the department.
- If the vehicle is sold to a salvage vehicle dealer they must list the **Form VTR-50-B** on the Inventory Sheet and surrender such statement in lieu of the certificate of title and license plates.

1.4 Refund of Overcharged Registration Fee

Transportation Code, Sec. 502.195. Refund of Overcharged Registration Fee.

(a) The owner of a motor vehicle who pays an annual registration fee in excess of the statutory amount is entitled to a refund of the overcharge.

(b) The county assessor-collector who collects the excessive fee shall refund an overcharge on presentation to the assessor-collector of satisfactory evidence of the overcharge not later than the first anniversary of the date the excessive registration fee was paid.

(c) A refund shall be paid from the fund in which the county's share of registration fees is deposited.

Refunds

This section describes the registration refund policy as of January 2012.

Effective date as it relates to refunds, is the first day of the following month after the registration expiration date. (i.e. A registration expiration date of 11/2014 has a registration effective date of 12/1/2013.)

Full Refunds

Full refunds, including those for multi-year registrations, will be authorized after a windshield or plate sticker HAS BEEN AFFIXED under the following conditions:

- Incorrect vehicle registered (county error or owner renews vehicle they no longer own),
- Double registration (full registration fees were paid twice on the same vehicle),
- Vehicle registered but wrecked **prior to** the effective date of the registration,
- Vehicle registered, and owner moves out-of-state **prior to** the effective date of the registration, and
- Vehicle transferred to a dealer **prior to** the effective date of the registration.

Before authorizing a refund, verify through the system that the vehicle has not been transferred to a new owner. If the vehicle has been transferred, a refund will be denied.

Incorrect vehicle registered - include a statement on the *Registration Fee Refund Request/Authorization* **Form VTR-304** indicating county error and include the information for the correct vehicle.

Double registration - both registration receipts must be submitted as proof before a refund will be authorized.

Note: A full refund may be authorized, if the vehicle has not been transferred to a new owner, the registration was purchased prior to the effective date and the request for refund is prior to the effective date.

Partial Refunds

Partial Refunds, including those for multi-year registration, will be authorized after the effective date of the registration period for registration stickers NOT AFFIXED to the windshield or license plate. If a refund is requested when the owner's registration sticker has not been affixed to either the windshield or license plate, only a partial (prorated) refund will be issued. Full remaining months of registration may be authorized if the vehicle has not been transferred to a new owner.

Before authorizing a refund, verify through the system that the vehicle has not been transferred to a new owner. If the vehicle has been transferred, a refund will be denied.

If the vehicle has not been transferred and the sticker has not been affixed to a vehicle, the customer will be advised that the partial (prorated) refund will be authorized. Example: Registration expires May 2013 and the customer comes in January 2013. The customer will receive a refund for four months of registration (February through May) for the unused sticker.

Note: A minimum refund amount is $5.

Other Refund Changes

Customers with no-fee or reduced-fee (first set) qualifying plates may not receive a refund of registration fees paid by a previous owner.

For example, a Disabled Veteran who buys a vehicle with current registration and transfers their Disabled Veteran license plates ($3 plate fee only) is not eligible for a refund of the registration fees previously paid.

However; if a customer with no-fee or reduced-fee (first set) qualifying plates buys a new vehicle and the dealer fails to transfer the qualifying license plates, a full refund of the registration fees will be authorized since the vehicle was registered in error by the dealer.

If a customer wants to exchange from full fee registration plates to reduced fee qualifying license plates, they should be encouraged to do so at time of renewal since a partial refund will not be given for the remaining portion of the full registration.

This change is consistent with existing policy regarding exchanges. Example: A vehicle that is currently registered with Truck License Plates and is exchanged for Farm Truck License Plates will not receive a refund.

A refund will not be authorized when a combination plate is exchanged for truck plates as the result of a reconstruction change, even if the gross vehicle weight is lower.

1.5 Fund Category Splits

Table 1-1 lists how county/state funds are split between jurisdictions.

Table 1-1 County/State Funds Category Splits Table

Account Item Code Description	County Comm	CRBF	County	TxDMV	Other Entity	Funds Category	Account Item Code
Addl Token Trlr Fee	$1.90	RMND					ADLTKN
Addl Weight	$1.90	RMND					AW
Annual Permit Trailer Plt	$1.90	RMND					ANPTTRLR
Annual Permit Truck Plt	$1.90	RMND					ANPTTRK
Antique Plt	$1.90	RMND					AP
Antique Tab	$1.90	RMND					AT
Apprehension				100%		APPREH	APPREH
Apprehension Credit				100%		APPREHCRDT	APPREHCR
Atv Fund				100%		ATVEDUC	ATVF
Atv Sticker	$1.90	RMND					ATVS
Automate Fee				100%		AUTOMATE	AUTOMATE
Blue Permanent Mobility				100%		DISPARKCARD	BPM
Blue Temporary Mobility				100%		DISPARKCARD	BTM
Buyers Tag				100%		BUYERS-TAG	BUYERTAG
Child Safety Fund			100%			CHILD SAFETY	CSF
Classic Motorcycle Sticker	$1.90	RMND					CLMSTKR
Classic Window Sticker	$1.90	RMND					CLSTKR
Cnty Rd Brdg Add On Fee			100%			ADDONCRBF	CRBF
Combination Plt	$1.90	RMND					CP
Commercial Fleet Fee				100%		FLEETFEE	FLEETFEE
County Judge Plt	$1.90	RMND					CJP
County Mobility Fund			100%			CNTYMOBILTYFEE	CMF
Credit Card Transaction Fee			100%				CCARDFEE
Credit Used		100%					CRDTUSED
Custom Fleet Plate Manuf Fee				100%		FLTCUSTM	FLTCUSTM
Delinquent Transfer Penalty (Dlr)			50%	50%		DELTRANSFER	DELPEN
Delq Trans Penalty 2008			50%	$10.00 REMAIN		DELTRSNCNTY DELTRNSEDUC DELTRNSTXDOT	DELPEN1
Disaster Relief Plt	$1.90	RMND					DRP
Duplicate Receipt			100%			DUP RECEIPT	DUPL
Exempt Registration	$1.90	RMND					EXEMPT
Factory Delivery Plt	$1.90	RMND					FDPT
Fed Administrative Law Judges	$1.90	RMND					ADMJUDG
Fertilizer Plt	$1.90	RMND					FP
Fleet Funds Interface	$1.90	RMND				FLEETFND	FLEETFND
Golf Cart Regis Sticker Fee	$1.90	RMND					GOLFUS
Hot Check – Add On Fees			100%			HOTCKADD	HOTCKADD
Hot Check – Automate				100%		HOTCKAUT	HOTCKAUT
Hot Check – Buyer Tag				100%		HOTCKBYT	HOTCKBYT
Hot Check – Delinq Trans Fee			50%	50%		HOTCKDEL	HOTCKDEL
Hot Check – Delq Trans Pen 2008			50%	-$10.00 REMAIN		HTCKDLTRNCNTY HTCKDLTRNEDUC HTCKDLTRNTXDT	HTCKDELQ
Hot Check – Dp Card Fee				100%		HOTCKDPC	HOTCKDPC
Hot Check – Plt Transfer Fee				100%		HOTCKPTR	HOTCKPTR
Hot Check – Reg Fee – Dps					100%	DPS	HOTCKINS
Hot Check – Rebuilt Fee					-$50.00 100%	HOTCK-REBUILT1 HOTCK-REBUILT2	HOTCKRBL HOTCKRBL
Hot Check – Registration		100%				HOTCKREG	HOTCKREG

Account Item Code Description	County Comm	CRBF	County	TxDMV	Other Entity	Funds Category	Account Item Code
Hot Check – Replacement Fee $5			50%	50%		HOTCKRPL	HOTCKRPL
Hot Check – Replacement Fee $6			-$2.50	-$3.50		HTCKRPL1	HTCKRPL1
Hot Check – Rest. Liens Fee				100%		HOTCKLEN	HOTCKLEN
Hot Check – Special Plt Fee				100%		HOTCKSP	HOTCKSP
Hot Check – State Parks				100%		HOTCKSTP	HOTCKSTP
Hot Check – Title Fee			-$5.00	-$3.00	-$5.00	HOTCKTTL	HOTCKTTL
Hot Check – Tow Truck Fee				100%		HOTCKTOW	HOTCKTOW
Hot Check – Transfer Fee			50%	50%		HOTCKTRN	HOTCKTRN
Hot Check – Veterans Fund				100%		HOTCKVET	HOTCKVET
Inquiry			100%			INQUIRY	INQUIRY
Irp Audit Fee	$1.90	RMND					IRPAUD
Irp Funds Interface	$1.90	RMND					IRFNDS
Late Registration Penalty		100%				REGPEN	REGPEN
Mail In Fee			100%			MAILFEE	MAIL
Mechanics Lien Admin Fee			100%			MECHLIEN	MECHLIEN
Miscellaneous Fees			100%			MISCFEES	MSC
Non – Resident Instate Permit	$1.90	RMND					NRIPT
Non – Resident Outstate Permit	$1.90	RMND					NROPT
One Trip Permit	$1.90	RMND					OTPT
Organ Donor Fee					100%	ORGAN DONAR	ORG-DN
Overpayment Credit				100%		OVRPYMNT	OVRPYMNT
Owner Verification Fee				100%		OWNRVRFY	OWNRCRFY
Permanent Disabled Placard				100%			PDC
Permit Duplicate Receipt			100%				PRMDUP
Permit Plt	$1.90	RMND					PP
Plate Sticker	$1.90	RMND					US
Rebuilt Fee					$50.00 100%	REBUILTFEE1 REBUILTFEE2	RBLTFEE RBLTFEE
Red Permanent Non-mobility				100%		DISPARKCARD	RPNM
Red Temporary Non-mobility				100%		DISPARKCARD	RTNM
Refund – Automation Fee				100%		REFAUTO	RFAUTMAT
Refund—Buyers Tag					100%	RFBYRTAG	RFBYRTAG
Refund – Child Safety Fee			100%				RFCSF
Refund– Cnty Rd Brdg Add-on Fee			100%			REFADD	RFADD
Refund – Del Transfer Penalty			50%	50%		REFDEL	RFDEL
Refund – Dp Card Fee				100%		REFDPC	RFDPC
Refund—Plate Transfer Fee				100%		RFTRNFEE	RFTRNFEE
Refund – Rebuilt Fee					-$50.00 100%	RFREBUILTFEE1 RFREBUILTFEE2	RFRBLTF RFRBLTF
Refund – Reg Fee – Dps				100%		RFINS	RFINS
Refund – Registration Fee		100%				REFREG	RFREG
Refund – Replacement Fee $5			50%	50%		REFREPL	RFREPL
Refund - Replacement Fee $6			-$2.50	-$3.50		RFREPL1	RFREPL1
Refund – Rest. Liens Fee				100%		REFLIEN	RFLIEN
Refund – Special Plt Fee				100%		RFSPCL	RFSPCL
Refund – Title Fee			-$5.00	-$3.00	-$5.00	REFTTL	RFTTL
Refund – Tow Truck Fee				100%		REFTOW	RFTOW
Refund – Trans Penalty 2008			50%	-$10.00 REMAIN		RFDELTRNCNTY RFDELTRNEDUC RFDELTRNTXDOT	RFDELQ
Refund – Transfer Fee			50%	50%		REFTRN	RFTRN
Reg Fee Dps					100%	INS	INS
Registration Correction	$1.90	RMND					CORREG

Account Item Code Description	County Comm	CRBF	County	TxDMV	Other Entity	Funds Category	Account Item Code
Registration Credit Remaining		100%					CREDIT
Registration Emission Fee					100%		REGISEMI
Replacement Fee $5.00			50%	50%		REPLACEMENT	REPL
Replacement Fee $6.00			$2.50	$3.50		REPLACEMENT1	REPL1
Restitution Lien Record Fee				100%		RESTLIEN	RESTLIEN
Sales Tax Emission Fee					100%	SLSTXEMI	SLSTXEMI
Sales Tax Emission 1%					100%	SLSTXEP1	SLSTXEP1
Sales Tax Fee					100%	SALESTAX	SLSTX
Sales Tax Penalty Fee					100%	SALESTAX	SLSTXPEN
Soil Conservation Plt	$1.90	RMND				SCP	SCP
Sp Plt Inet Cnty Comm Vendor			$0.50			SPCOMMVP	SPCOMMVP
Sp Plt Intrnt Txdmv Com Crdt				100%		SP-COM CRDT	SP-CM-CR
Spcl Plt Fee Vendor (Fund1)				100%		SPDOTVP1	SPDOTVP1
Spcl Plt Fee Vendor (Fund6)				$7.50		SPDOTVP6	SPDOTVP6
Spcl Plts-Armed Forces Crdt				100%		SPAFCRDT	SPAFCRDT
Spcl Plts-rec Comsn Credit				100%		SPRCCRDT	SPRCCRDT
Spcl Plts-r&b Add-on Credit				100%		SPRBCRDT	SPRBCRDT
Special Plate Fee				100%		SPTXDOT	SPTXDOT
Spl Plt Intrnt Cnty Com Owed				100%		SP-CM-OW	SP-CM-OW
Spl Plt Intrnt Cnty Commsn	$0.50					SPCOM	SPCOMM
Standard Fleet Plt Manuf Fee				100%		FLSTNDRD	FLSTNDRD
State Judge Plt	$1.90	RMND				SJP	SJP
State Official Plt	$1.90	RMND				SOP	SOP
State Parks Donation				100%		STPARK	STPARK
Temp Addl Wgt Fee 1 Month	$1.90	RMND					TAWPTMO
Temp Addl Wgt Fee 1 Qtr	$1.90	RMND					TAWPT1Q
Temp Addl Wgt Fee 2 Qtrs	$1.90	RMND					TAWPT2Q
Temp Addl Wgt Fee 3 Qtrs	$1.90	RMND					TAWPT3Q
Temporary Disabled Placard				100%		TDC	TDC
Terp Title					100%	TERPTTL	TERPTTL
Texas Mobility Fund					100%	TMFTTL	TMFTTL
Title Application Fee			$5.00	$3.00	$5.00	TITLE	TITLE
Tow Truck Fee				100%		TOWTRUCK	TTS
Transfer Fee			50%	50%		TRANSFER	TRANS
United States House Plt	$1.90	RMND					UHP
United States Judge Plt	$1.90	RMND					UJP
United States Senate Plt	$1.90	RMND					USP
Vendor Auction Plate				VARIES			SPLAUCTN
Vendor Plate Restyle Fee				VARIES			RESTYLE
Vendor Plate Transfer Fee				100%			VPTRNSFR
Veterans' Fund				100%		VET-FUND	VET-FUND
Windshield Sticker	$1.90	RMND					WS
Young Farmer Program					100%	YOUNGFARMER	YGFARMER
144 Hour Permit	$1.90	RMND				144PT	144PT
30-Day Permit	$1.90	RMND				30P[T	30PT
5 Yr Token Trlr Plt Fee	$1.90	RMND				5YRTKN	5YRTKN
5yr Rental Trlr Plt	$1.90	RMND				RTP	RTP
5yr Rental Trlr Plt-yr1	$1.90	RMND				RTPYR1	RTPYR1
72 Hour Permit	$1.90	RMND				72PT	72PT

Chapter 2

COMMERCIAL VEHICLES

This chapter contains the following sections:

- ***2.1*** Commercial Motor Vehicle or Truck-Tractor Fees
- ***2.2*** Permissible Weight Table
- ***2.3*** Truck-Tractor or Semitrailer Token Fees
- ***2.4*** Soil Conservation Equipment
- ***2.5*** Trailers Transporting Soil Conservation Machinery or Equipment
- ***2.6*** Road Tractor Fees
- ***2.7*** Foreign Commercial Vehicles Annual Permits
- ***2.8*** Motor Bus Fees
- ***2.9*** Tow Trucks
- ***2.10*** Fleet Registration

2.1 Commercial Motor Vehicle or Truck-Tractor Fees

Transportation Code, Sec. 502.253. Fee: Vehicles that Weigh More than 6,000 Pounds.

(a) The fee for a registration year for registration of a vehicle with a gross weight of more than 6,000 pounds is as follows unless otherwise provided in this chapter:

Weight Classification in pounds	Fee Schedule
6,001-10,000	$54.00
10,001-18,000	$110.00
18,001-25,999	$205.00
26,000-40,000	$340.00
40,001-54,999	$535.00
55,000-70,000	$740.00
70,001-80,000	$840.00

Transportation Code, Sec. 502.255. Truck-Tractor or Commercial Motor Vehicle Combination Fee; Semitrailer Token Fee.

(a) This section applies only to a truck-tractor or commercial motor vehicle with a gross weight of more than 10,000 pounds that is used or is to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

(b) The fee for a registration year for registration of a truck-tractor or commercial motor vehicle is calculated by gross weight according to Section 502.253.

(c) The fee for a registration year for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is $15 for a registration year.

(d) A registration made under Subsection (c) is valid only when the semitrailer is used in the manner described by Subsection (a).

(e) For registration purposes, a semitrailer converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer.

(f) A combination of vehicles may not be registered under this section for a combined gross weight of less than 18,000 pounds.

(g) This section does not apply to:

(1) a combination of vehicles that includes a vehicle that has a distinguishing license plate under Section 502.146;

(2) a truck-tractor or commercial motor vehicle registered or to be registered with $5 distinguishing license plates for which the vehicle is eligible under this chapter;

(3) a truck-tractor or commercial motor vehicle used exclusively in combination with a semitrailer of a traveltrailer type; or

(4) a vehicle registered or to be registered:

(A) with a temporary registration permit;

(B) under Section 502.433; or

(C) under Section 502.435.

(h) The department may adopt rules to administer this section.

(i) The department shall issue a license plate for a token trailer registered under this section that does not expire or require an annual registration insignia to be valid. The alphanumeric pattern for a license plate issued under this subsection may remain on a token trailer for as long as the registration of the token trailer is renewed or until the token trailer is removed from service or sold. The registration receipt required under Section 621.002 is not required for a vehicle that displays a license plate issued under this subsection.

(j) A person may register a semitrailer under this section if the person:

(1) applies to the department for the five-year registration;

(2) provides proof of the person's eligibility to register the vehicle under this subsection as required by the department; and

(3) pays a fee of $15, plus any applicable fee under Section 502.401, for each year included in the registration period.

Commercial motor vehicles are subject to registration fees based on the vehicle's gross weight. The gross weight is determined by adding the empty weight of the vehicle and the heaviest load that will be carried by the vehicle (carrying capacity) during the registration year.

Any vehicle that is a pulling unit (truck or truck-tractor) with a gross vehicle weight in excess of 10,000 lbs. that is pulling a semitrailer with a gross weight in excess of 6,000 lbs. may be registered with a Combination license plate, if the combined gross weight is more than 18,000 lbs. Texas Transportation Code Section 502.255, applies to those vehicles registered in Combination.

All other vehicles that do not meet this definition should be registered under the commercial motor vehicle statute.

The following only pertains to those trucks and truck-tractors that are excluded from the requirements of registering in combination and fall under the provisions of Transportation Code Section 502.253 *Fee: Vehicles that Weigh More than 6,000 pounds.*

Vehicles with Truck Registration Classification

Vehicles with Truck registration classification may register for a 12, 24, 36 months from the date of application, unless the truck falls under the requirement of Heavy Vehicle Use Tax. (Gross weight in excess of 55,000 lbs.)

Truck Registration Fees

All trucks and truck-tractors registered are registered for the gross weight of the vehicle, which is inclusive of the empty weight plus the net carrying capacity. The vehicle should not be registered for more than the manufacturer's gross vehicle weight rating. (GVWR)

Truck Types

The term "truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property, including any passenger vehicle reconstructed for delivery purposes.

Certain vehicles manufactured of special design may register at the owner's option either as a commercial vehicle or as a passenger car depending on the intended use of such vehicles.

Sport utility type vehicles and vans manufactured with windows on both sides back of the front doors designed for the transportation of persons but may have features of a commercial vehicle are classified Pass/Truck and registered with either passenger or truck registration classifications.

Some examples of sport utility vehicles may include the following:

- Chevrolet Suburban,
- Chevrolet Tahoe,
- Ford Excursion,
- Ford Explorer,

- Toyota 4-Runner, and
- Toyota Landcruiser.

If a van or panel-type vehicle has no side windows or windows only on one side back of the front doors, and the vehicle operates as a commercial vehicle, register the vehicle as Truck registration classification.

Vehicles designed by the manufacturer for optional registration classifications must include a carrying capacity on the registration receipt and application for title if registered as a commercial motor vehicle.

Show the vehicle class as Pass/Truck. Carrying capacity must be included for Pass/Truck registration if Truck is selected for the registration class.

If an optional classification vehicle currently holds passenger registration and the owner chooses to register the vehicle as a commercial motor vehicle, the owner must submit a corrected title to record the applicable carrying capacity.

Conversions

If a passenger car is altered or reconstructed by means of a permanent body change into a commercial vehicle, a corrected title must be applied for. The vehicle may not be registered with a carrying capacity of less than 1,000 lbs. For corrected title information, refer to the Title Manual.

Register commercial vehicles (vans, panels, etc.) that have been converted to motor homes with Passenger registration classification.

Register pickup trucks with camper units attached that can be readily removed with truck registration classification. However, any vehicle with a camper unit permanently mounted on its chassis and cab must be registered with passenger registration classification, and indicate the body style as “Motor Home” on the title application and registration receipt.

Slide-in Camper Unit
Truck Registration Classification

Passenger Registration Classification

An owner applying for title and/or registration for an out-of-state pickup with a “slide-in” camper unit may obtain the empty weight of the pickup without removing the camper unit by the following procedure:

- Obtain a weight certificate covering the gross weight of the pickup and camper.
- Subtract the carrying capacity of the pickup from this gross weight.
- Show the difference as the empty weight of the pickup on the application for title and registration receipt.
- A weight certificate may be required to determine the correct empty weight.

Classify buses reconstructed by removing the seats (except driver's seat) as commercial vehicles. An exchange of registration and corrected title is required. Register such vehicles with a carrying capacity of 3,000 or 4,000 lbs. depending on the manufacturer's rated carrying capacity for the chassis. However, never record the carrying capacity as less than 3,000 lbs.

Register garage wreckers with a carrying capacity equal to the heaviest load hauled, but in no case less than the manufacturer's rated carrying capacity. When a wrecker is towing a vehicle, consider the part of the weight of the vehicle supported by the wrecker as part of the load being hauled. The empty weight of the wrecker includes all the equipment mounted on the wrecker.

Register conventional vehicles with cranes, draglines or other similar machinery mounted on the vehicle with regular registration (with the exception of water well drilling units). These vehicles usually qualify under the fixed weight formula (refer to Registration Weight).

Cranes, draglines, and other types of machinery on unconventional vehicles that are built from the ground up may qualify for the $5 Machinery license plate (Transportation Code, Sec. 502.146. Certain Farm Vehicles and Drilling and Construction Equipment.) or Permit license plate (Transportation Code, Sec. 623.141. Optional Procedure.).

- A “Conventional” vehicle is a regular truck or regular trailer primarily designed to transport divisible loads, regardless of the vehicle's present use. Such vehicles which have been altered or reconstructed or upon which machinery has been mounted or attached, permanently or otherwise, retain their conventional status. Conventional vehicles are eligible only for regular registration. (Water well drilling equipment and vehicles qualified for permit plates exception.)

Trailer-mounted generator
(must be registered with trailer license plates)

- An “Unconventional” vehicle is a vehicle built entirely as machinery from the ground up and is permanently designed to perform a specific function. Such vehicles may not transport property.

Oversize unit (Permit license plates)
An additional Permit must be purchased through Motor Carrier Division

Built from the ground up
(may be registered as Machinery)

Truck-tractor

A truck-tractor is defined as every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Register all truck-tractors that qualify for registration under the provisions of this Section with Truck or Combination registration classification (whichever is applicable), and show the body style of such vehicles on the registration receipts as “TruckTractor.”

The round, turntable-type device connecting semitrailers to a truck-tractor is known as a “fifth wheel.” In some instances, a truck has a fifth wheel mounted on or at the rear of its bed (designed to pull a semitrailer). Register any vehicle with a gross vehicle weight in excess of 10,000 lbs. and used to pull a semitrailer having a gross weight in excess of 6,000 lbs., with a Combination license plate, however the combined gross weight must be greater than 18,000 lbs. in accordance with Transportation Code Section 502.255.

Various truck manufacturers offer Glider kits for reconstructing older model trucks or truck-tractors. A glider kit consists of a complete new cab, frame, front axle, and accessories.

- When a truck or truck-tractor is reconstructed combining a glider kit and the power train of an existing titled truck or truck-tractor that is currently registered with Texas license plates, the license plates may be retained and used on the reconstructed vehicle, provided the certificate of title covering the original truck or truck-tractor is surrendered with the title transaction.
- If the certificate of title covering the original truck or truck-tractor is not surrendered with the title transaction, the reconstructed vehicle must be registered as of the date application for title is filed. (For title requirements, refer to the Title Manual.)

Truck Weights

The empty weight of a commercial vehicle (truck or truck-tractor) is the weight of the vehicle fully equipped with body, bed, and any other permanently attached equipment.

All new commercial vehicles (truck or truck-tractors rated in excess of 10,000 lbs.) either manufactured in the U.S. or in a foreign country must carry a registration receipt that includes the vehicle weights (empty, carrying capacity, and gross weight). A weight certificate is a verification of weight as certified by either a public weigher or any License and Weight Inspector of the Texas Department of Public Safety.

A weight certificate (see Acceptable Weight Certificates) is required on all new commercial vehicles when the body style is shown as cab and chassis on the manufacturer's certificate. The weight certificate must include weight of the bed and attachments.

If no shipping weight is shown on a manufacturer's certificate covering a commercial motor vehicle, a weight certificate is required to verify the vehicle's empty weight.

Require weight certificates on all commercial vehicles last registered out-of-state, except commercial motor vehicles having a gross vehicle weight of 10,000 lbs. or less.

Acceptable Weight Certificates

Weight certificates may be obtained from:

- a Texas public weigher,
- an out-of-state source if the vehicle was previously titled in another state, or
- any License and Weight Inspector of the Texas Department of Public Safety.

The department requires public weighers to provide the following minimum information on the weight certificate:

- the date that the weight was taken,
- the name and address of company,
- the signature of the weigher, and
- the weight is mechanically printed (not hand written).

Acceptable out-of-state weight certificates should include comparable information. If the Texas or out-of-state weight certificate does not meet the above criteria a new weight certificate may be required.

Conversions

No correction of title or exchange of registration is necessary when a truck bed is changed, such as from stake to dump, pickup to stake, or flatbed to van; however, if the weight of such vehicle is increased, the additional weight must be accounted for on a Permanent Additional Weight Receipt. When a truck bed is changed, a weight certificate is required at renewal in order to establish the correct carrying capacity and gross weight of the vehicle.

When a truck is converted into a truck-tractor and the registration classification is changed from “truck” to “combination,” an exchange of license plate is required.

If a truck-tractor is converted into a truck and the registration classification is changed from “combination” to “truck,” do not exchange the license plates unless the change involves a major permanent reconstruction change, such as when the frame of a truck-tractor is altered to accommodate the installation of a different type bed or body. The owner must exchange license plates and apply for corrected title.

A refund will not be authorized when a combination plate is exchanged for truck plates as the result of a reconstruction change, even if the gross vehicle weight is lower.

Exceptions

Certain commercial vehicles with a registered gross weight in excess of 26,000 lbs. may lower the registered gross weight of the vehicle when the manufacturer's gross vehicle weight rating does not exceed 26,000 lbs.

Gross Vehicle Weight Rating

The chart below may be used as a guide for a minimum carrying capacity for trucks, based on the empty weight, if the owner or applicant cannot provide the vehicle's carrying capacity.

Table 2-1 Minimum Carrying Capacity for Trucks

Empty Weight or Shipping Weight	Minimum Carrying Capacity
6,000 lbs. or less	1,000 lbs.
6,001 - 7,500 lbs.	1,500 lbs.
7,501 - 10,000 lbs.	2,000 lbs.
10,001 - 14,000 lbs.	3,000 lbs.
14,001 - 16,000 lbs.	4,000 lbs.
16,001 - 19,500 lbs.	5,000 lbs.
19,501 - 26,000 lbs.	6,000 lbs.
26,001 - 33,000 lbs.	7,000 lbs.

Heavy vehicles with a gross weight of more than 33,000 lbs. should be processed as usual.

A vehicle accompanied by a Manufacturer's Certificate of Origin (MCO) may be titled using the "Gross Vehicle Weight Rating" (GVWR), as shown on the MCO. The empty weight, or shipping weight, may be subtracted from the GVWR to obtain the carrying capacity.

The gross weight of a vehicle should not exceed the GVWR on a MCO.

Registration Weight

The registration weight of a truck is determined by adding the empty weight of the vehicle plus the weight of the heaviest load carried. The gross registered weight cannot be less than the empty weight of the vehicle plus the minimum carrying capacity.

Vehicles with Fixed Weight

Owners of commercial vehicles on which machinery or equipment is permanently mounted may be registered without removal of the fixed load in order to determine the empty weight.

- To qualify for fixed weight registration, a vehicle must meet the criteria of having at least two-thirds of its bed covered with permanently mounted machinery or equipment.

  Whether such vehicle is equipped with some type of receptacle or tank in addition to the mounted fixed load does not matter; however, do not consider the dimensions of any receptacle or tank with the machinery or equipment in order to meet the two-thirds criteria.

- Fixed weight is the actual weight of the empty vehicle plus the weight of the permanently mounted machinery or equipment; however, this weight, as evidenced by a weight certificate, must not fall below the minimum gross weight required for that particular vehicle.
- A photograph is required to determine if the vehicle qualifies for fixed weight registration. If the photograph shows that less than two-thirds of the bed is covered with permanently mounted machinery or equipment, the vehicle may not be registered with a fixed weight and must be registered for the maximum gross weight the vehicle will carry.
- When a fixed weight vehicle transports property in addition to the fixed load, register it for a fixed weight that covers the maximum gross weight that is carried during the registration year. Do not register the vehicle for a fixed weight exceeding the statutory maximum gross weight applicable to that particular vehicle.

The receipt or an unaltered copy must accompany the commercial vehicle at all times.

Statutory Size and Weight Limitations

Statutory size and weight limitations apply to all commercial vehicles regardless of whether such vehicles register individually for the vehicle's gross weight or register in combination for combined gross weights.

The applicant is responsible for registering the vehicle with the load capabilities within the limits prescribed in the statutes pertaining to the registration of commercial vehicles.

Commercial vehicles and combination of vehicles are restricted to certain weight limitations to prevent damage to the highways. Statutory weight limitations are based upon tire size, statutory axle load limitations and the distance in feet between the extremes of any group of axles.

A vehicle or combination of vehicles may not be operated over or on a public highway or at a port-of-entry between Texas and the United Mexican States if the vehicle or combination has:

- a single axle weight heavier than 20,000 lbs., including all enforcement tolerances;
- a tandem axle weight heavier than 34,000 lbs., including all enforcement tolerances;
- an overall gross weight on a group of two or more consecutive axles heavier than the weight computed using the following formula and rounding the result to the nearest 500 lbs.:

  $W = 500((LN/(N - 1)) + 12N + 36)$ where: “W” is maximum overall gross weight on the group; “L” is distance in feet between the axles of the group that are the farthest apart; and “N” is number of axles in the group; or
- tires that carry a weight heavier than the weight specified and marked on the sidewall of the tire, unless the vehicle is being operated under the terms of a special permit.

Two consecutive sets of tandem axles may carry a gross load of not more than 34,000 lbs. each if the overall distance between the first and last axles of the consecutive sets is 36 feet or more. The overall gross weight on a group of two or more consecutive axles may not be heavier than 80,000 lbs., including all enforcement tolerances, regardless of tire ratings, axle spacing (bridge), and number of axles.

Figure 2-1 indicates typical weight distribution on all axles without exceeding maximum weights allowed by law.

Figure 2-1 Maximum Weights

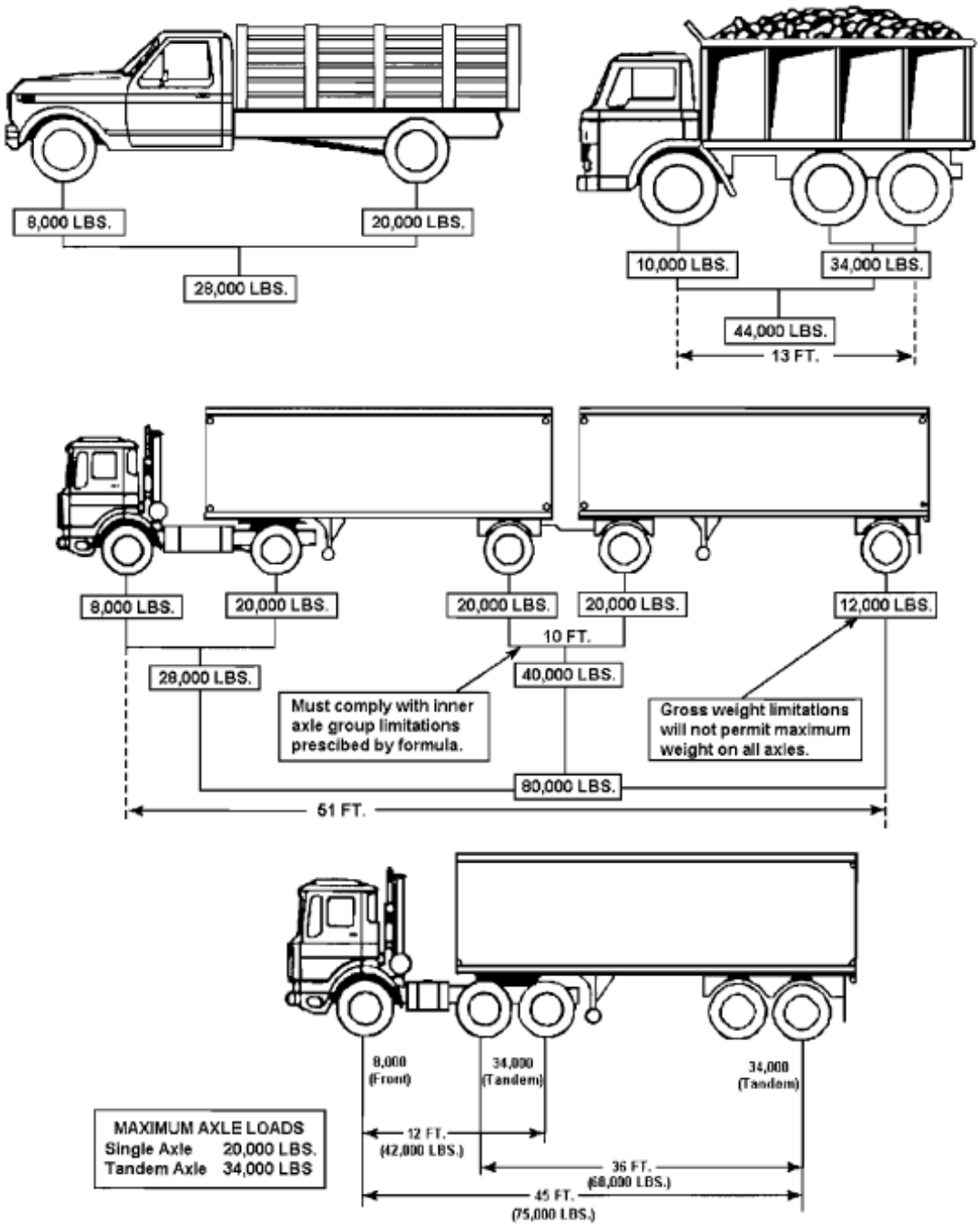
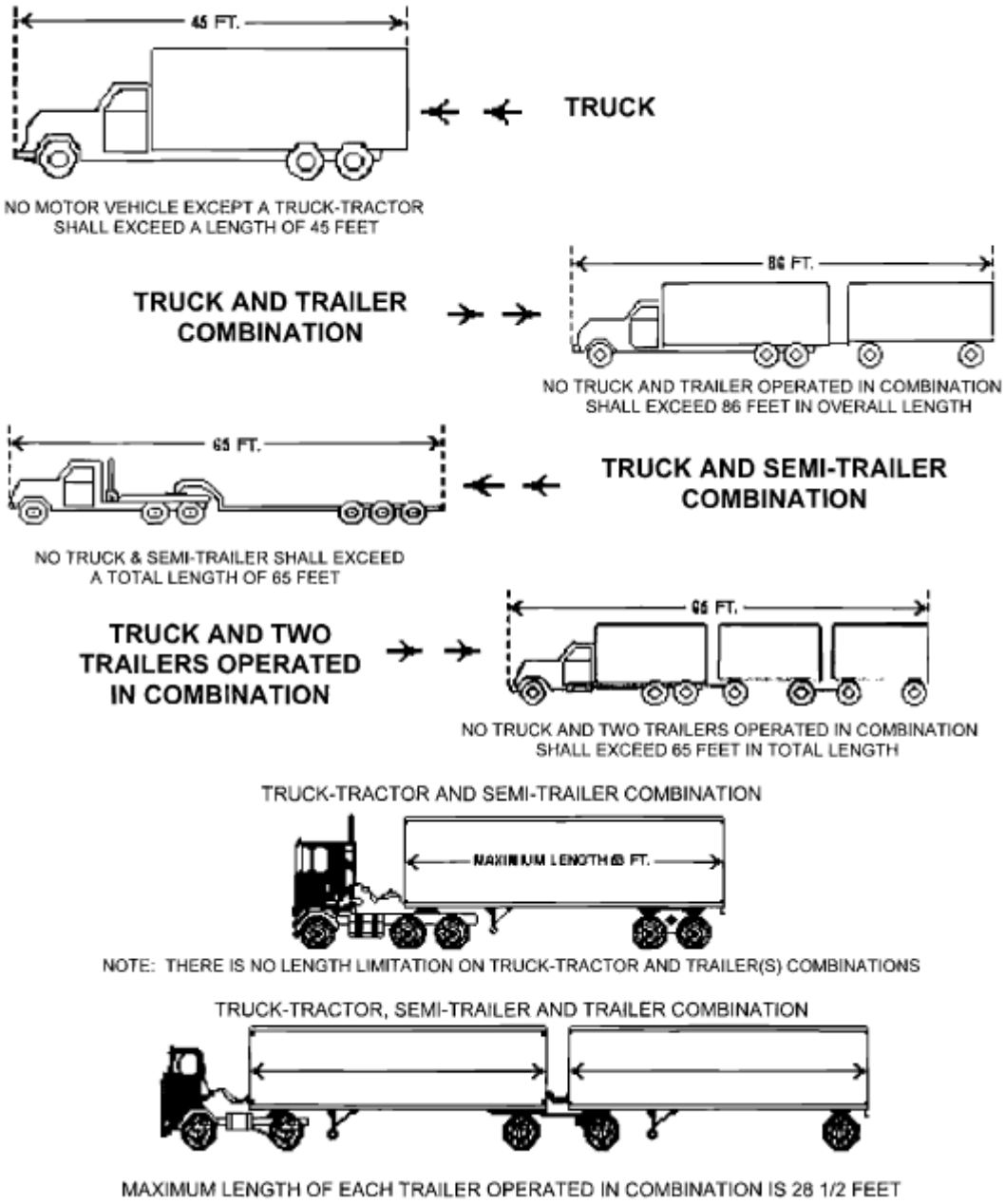


Figure 2-2 reflects the maximum size limitations allowed by law.

Figure 2-2 Maximum Sizes



Note: The maximum allowable width of a vehicle and load is 8’6” except on certain designated highways, and the maximum allowable height is 14 feet.

2.2 Permissible Weight Table

Table 2-2 provides a guide to determine the maximum weight permitted on any group of two or more consecutive axles. Apply the table to inner axle groups such as the power unit only of a combination, the drive axle(s) of the power unit and the trailer, or the entire combination of axles from the steering axle of the power unit to the last trailing axle of the trailer.

The number in the first column is the required minimum distance in feet between the extremes of any group of two or more consecutive axles in relation to the corresponding weight shown in columns to the right. The computations are based upon the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$ L = length & N = # of axles

Table 2-2 Permissible Weight Table

Distance in Feet	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	34,000				
8+	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,500				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,500	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		
18		49,900	54,000	59,000		
19		51,400	54,500	60,000		
20		52,800	55,500	60,500	66,000	
21		54,000	56,000	61,000	66,500	
22		54,000	56,500	61,500	67,000	
23		54,000	57,500	62,500	68,000	
24		54,000	58,700*	63,000	68,500	74,000
25		54,500	59,650*	63,500	69,000	74,500
26		55,500	60,600*	64,000	69,500	75,000
27		56,000	61,550*	65,000	70,000	75,500
28		57,000	62,500*	65,500	71,000	76,500
29		57,500	63,450*	66,000	71,500	77,000
30		58,500	64,000*	66,500	72,000	77,500
31		59,000	65,350*	67,500	72,500	78,000
32		60,000	66,300*	68,500	73,000	78,500
33			67,250*	68,500	74,000	79,000
34			68,200*	69,000	74,500	80,000
35			69,150*	70,000	75,000	
36			70,100*	70,500	75,500	
37			71,050*	71,050	76,000	
38			72,000*	72,000*	77,000	
39			72,000*	72,500	77,500	
40			72,000*	73,000	78,000	
41			72,000*	73,500	78,500	
42			72,000*	74,000	79,000	
43			72,000*	75,000	80,000	
44			72,000*	75,500		
45			72,000	76,000		
46			72,500	76,500		
47			73,500	77,500		
48			74,000	78,000		
49			74,500	78,500		
50			75,500	79,000		
51			76,000	80,000		

Table 2-2 *These figures were carried forward from Article 6701d-11, Section 5(a)(4) when Senate Bill 89 of the 64th Texas Legislature amended it on December 16, 1974. The amendment provided that axle configurations and weights that were lawful as of that date would continue to be legal under the increased weight limits.

+These figures apply only to an axle spacing greater than 8 feet but less than 9 feet.

Except as otherwise provided by law, **no** vehicle may exceed the following size limitations:

Table 2-3 Size Limitations

Single motor vehicle (except truck-tractor- no length limit)	45 feet
Combination of vehicle (except truck-tractor)	65 feet
Bus	45 feet
Trailer (full - doubles)	28 1/2 feet
Semitrailer 59 feet (when operated in combination with trailer, excluding the length of the towing device)	28 1/2 feet
Width	8 1/2 feet (102 inches)
Height	13 1/2 feet

No overweight or oversize vehicle, other than those excepted by statute, can operate on the public roads or highways except when issued a special permit through TxDMV Motor Carrier Division. (Transportation Code, Chapter 623)

Voluntary Additional Weight

Voluntary additional weight must be purchased in the county of the owner's residence (unless apprehended).

A registrant is required to provide proof of payment of Heavy Vehicle Use Tax (HVUT) when a vehicle weight is voluntarily increased to 55,000 lbs. or more during a registration year.

Incorrect Gross Weight (Apprehension)

Any person transporting a load greater than the weight for which the vehicle is registered must, when apprehended, purchase additional registration at the nearest county tax assessor-collector's office to increase the gross registration weight equal to the apprehended load weight.

If the gross weight of the vehicle at the time of apprehension is in excess of the maximum legal load limit, then the amount of the additional weight which can be issued is only that which brings the weight of the vehicle up to the legal load limit.

For example, a vehicle registered at 54,000 lbs. is apprehended with a gross vehicle weight (GVW) of 64,000 lbs. However, the legal GVW for the vehicle is 60,000 lbs.; therefore, the vehicle weight can only be increased by 6,000 lbs. (to 60,000 lbs.).

In some instances, movement of the vehicle is held until the gross weight is lowered to comply with the maximum authorized by law. The enforcement officer usually advises the operator or tax assessor-collector of the weight decrease needed.

- An apprehension occurs when an enforcement officer issues a citation for a registration violation.

- If the apprehension occurs in a county other than the owner's county of residence, the tax assessor-collector retains the regular receipt commission and remits the balance of all monies collected to the department for later redistribution to the appropriate county. Enter the owner's county of residence county number in the system.
- A vehicle that has been apprehended does not qualify for any temporary permit. (72/144-Hour Permit.)
- In calculating the fee for the additional weight on apprehensions, the fee is always calculated from the date of the original registration.
- If voluntary additional weight is purchased for a vehicle, the fee is always calculated from the date of the request.

Exchange of Plates as a Result of a Classification Change

When exchanging license plates, the owner must surrender the registration receipt and license plates to the county tax office. The registration fee for the new plates is calculated by the date of the plate exchange. Full credit is allowed for the unexpired portion of the registration fee.

- An exchange from a Trailer plate to a Token Trailer plate is not authorized unless the pulling unit and semitrailer was initially registered in error.
- The policy of exchanging commercial truck and Trailer license plates for Farm Truck, Farm Trailer, or Soil Conservation license plates (reduced fee license plates) is not recommended. The full fees paid previously will not be refunded. The transaction is handled on an even exchange.

2.3 Truck-Tractor or Semitrailer Token Fees

Transportation Code, Sec. 502.255. Truck-Tractor or Commercial Motor Vehicle Combination Fee; Semitrailer Token Fee.

(a) This section applies only to a truck-tractor or commercial motor vehicle with a gross weight of more than 10,000 pounds that is used or is to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

(b) The fee for a registration year for registration of a truck-tractor or commercial motor vehicle is calculated by gross weight according to Section 502.253.

(c) The fee for registration of a semitrailer used in the manner described by Subsection (a), regardless of the date the semitrailer is registered, is $15 for a registration year.

(d) A registration made under Subsection (c) is valid only when the semitrailer is used in the manner described by Subsection (a).

(e) For registration purposes, a semitrailer converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer.

(f) A combination of vehicles may not be registered under this section for a combined gross weight of less than 18,000 pounds.

(g) This section does not apply to:

(1) a combination of vehicles that includes a vehicle that has a distinguishing license plate under Section 502.146;

(2) a truck-tractor or commercial motor vehicle registered or to be registered with $5 distinguishing license plates for which the vehicle is eligible under this chapter;

(3) a truck-tractor or commercial motor vehicle used exclusively in combination with a semitrailer of the travel trailer type; or

(4) a vehicle registered or to be registered:

(A) with a temporary registration permit;

(B) under Section 502.433; or

(C) under Section 502.435.

(h) The department may adopt rules to administer this section.

(i) The department shall issue a license plate for a token trailer registered under this section that does not expire or require an annual registration insignia to be valid. The alphanumeric pattern for a license plate issued under this subsection may remain on a token trailer for as long as the registration of the token trailer is renewed or until the token trailer is removed from service or sold. The registration receipt required under Section 621.002 is not required for a vehicle that displays a license plate issued under this subsection.

(j) A person may register a semitrailer under this section if the person:

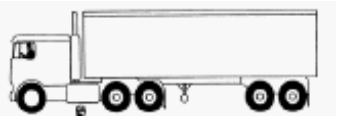
(1) applies to the department for registration;

(2) provides proof of the person's eligibility to register the vehicle under this subsection as required by the department; and

(3) pays a fee of $15, plus any applicable fee under Section 502.401, for each year included in the registration period.

Registering by Gross Weight

You may register a truck or truck-tractor with a gross vehicle weight in excess of 10,000 lbs., used in combination with a semitrailer having a gross weight in excess of 6,000 lbs., for a gross weight equal to the combined gross weight of all the vehicles in the combination (the gross weight of both must be in excess of 18,000 lbs.).



A truck or truck-tractor registered under the provisions of this section is issued a license plate bearing the word “Combination.” Combination license plates are “annual” plates, which have the established registration expiration date of March 31st.

Register a semitrailer with a gross weight in excess of 6,000 lbs. operated in combination with a truck or truck-tractor with a “token” fee of $15 and a distinguishing license plate displaying the words “Token Trailer.” Token trailers are not required to display a registration sticker on the Token Trailer plate. Not issuing a registration sticker eliminates the need for motor carriers to track down their trailers every year at renewal time to put on a new registration sticker.

Vehicles not Registered in Combination

The following are vehicles not registered in combination:

- Trucks or truck-tractors with a gross vehicle weight of 10,000 lbs. or less, or trucks or truck-tractors used exclusively in combination with semitrailers having gross weights not exceeding 6,000 lbs. and the gross weight of both units is not in excess of 18,000 lbs.
- Semitrailers with gross weights of 6,000 lbs. or less or semitrailers operated exclusively with trucks or truck-tractors having a gross vehicle weight of 10,000 lbs. or less and the gross weight of both units is not in excess of 18,000 lbs.
- Trucks or truck-tractors used exclusively in combination with semitrailer-type vehicles displaying $5 Machinery, Permit, or Farm Trailer license plates.
- Trucks or truck-tractors used exclusively in combination with travel trailers and manufactured housing.
- Trucks or truck-tractors registered with Farm Truck or Farm Truck-Tractor license plates.
- Trucks or truck-tractors and semitrailers registered with $5 Disaster Relief license plates.
- Trucks or truck-tractors and semitrailers registered with Soil Conservation license plates.
- Trucks or truck-tractors and semitrailers registered with U. S. Government license plates or Exempt license plates.

Determining Combined Gross Weight

The combined gross weight of a truck or truck-tractor, registered under the provisions of this section, is determined as follows:

The empty weight of the truck or truck-tractor combined with:

- the empty weight of the heaviest semitrailer or semitrailers used or to be used in combination; plus
- the heaviest net load to be carried on such combination during the motor vehicle registration year.

In no case may the combined gross weight be less than 18,000 lbs.

Once a truck or truck-tractor is registered for a combined gross weight, the weight cannot be lowered at any subsequent date during the registration year. The owner may, however, lower the gross weight when registering the vehicle for the following registration year, provided the vehicle is registered for a combined gross weight which is sufficient to cover the heaviest load transported during the year.

A combination of vehicles is restricted by statute to a total gross weight not to exceed 80,000 lbs., (Transportation Code, Section 502.253). However, all combinations may not legally qualify for 80,000 lbs., unless the weight can be properly distributed in accordance with axle load limitations, tire size, and distance between axles. (Transportation Code, Section 621.101)

Issuing a Combination License Plate

For trucks and truck-tractors, registered for combined gross weights, one Combination license plate is issued and should be displayed on the front of the unit. When displaying a Combination plate, a truck or truck-tractor is not restricted to pulling a semitrailer licensed with a Token Trailer license plate. Instead, it can legally pull semitrailers and full trailers displaying other types of Texas license plates or license plates issued out-of-state. However, the pulling unit may be registered for a combined gross weight which includes the weight of all semitrailers operated in the combination, regardless of the type of registration displayed on such semitrailer(s).

If a Combination license plate is lost, stolen, or mutilated, a replacement license plate may be obtained from any county tax assessor-collector's office. The applicant should sign the back of the **Form RTS-500** or be required to complete an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker,* **Form VTR-60** and pay the applicable replacement fee and any additional fees.

Token Trailer License Plates

Issue Token Trailer license plates for semitrailers registered in combination. Token Trailer license plates are issued on a staggered basis for $15. Such plates are valid only when displayed on semitrailers being pulled by trucks or truck-tractors which have been properly registered with Combination, Apportioned, Forestry Vehicle, or Seasonal Permit license plates for combined gross weights that include the weight of the semitrailers.

- The fee for a Token Trailer license plate is $15 and is never prorated.
- A copy of the registration receipt is no longer required by law to accompany the power unit when such vehicle is operated upon the public highways.

If a Token Trailer license plate is lost, stolen, or mutilated, a replacement may be obtained from any county tax assessor-collector's office. The applicant should sign the back of the **Form RTS-500** or be required to complete an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker,* **Form VTR-60** and pay the applicable replacement fee and any additional fees.

Do not issue a Token Trailer license plate for a full trailer. Register a full trailer with a trailer plate under the provisions of Transportation Code, Sec. 502.254. Fee: Trailer, Travel Trailer, or Semitrailer. In the event a full trailer and a "token trailer" semitrailer are pulled by a power unit registered with a Combination license plate, register the full trailer separately paying full registration fees for the trailer plate for its gross weight. No portion of the registered gross weight of the pulling unit should be applied to the weight of the full trailer.

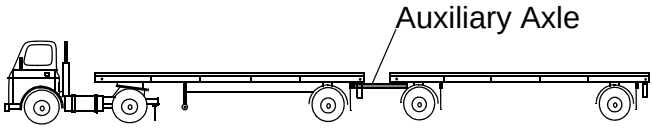
Semitrailer
(part of the weight rests on the pulling unit)

Full-trailer
(weight does not rest on the pulling unit)

Auxiliary Axles

Semitrailers converted to full trailers by means of auxiliary axle assemblies, retain the semitrailer status, and are subject to the combination and token trailer registration requirements.

There are various types of axle assemblies specially designed for use in conjunction with other vehicles or combinations of vehicles in order to increase the load capabilities of such vehicles or combinations. The following is applicable to such axle assemblies.



- Auxiliary axle assemblies, such as trailer axle converters, jeep axles, drag axles, etc., used in conjunction with truck-tractor and semitrailer combinations, are not required to be registered. However, include the additional weight acquired by the use of such axle assemblies in the combined gross weight of the combination.
- Register house-moving dollies with Token Trailer license plates and title them as semitrailers; however, only one such dolly in a combination is registered and titled. The remaining dolly (or dollies) is permitted to operate unregistered, since by the nature of its construction, it is dependent upon another such vehicle in order to function. The pulling unit must display a Combination plate.

- Ready-mix concrete trucks that have an auxiliary axle assembly installed for increasing the load capacity must be registered for a weight, which includes the axle assembly. The axle assembly is not considered a semitrailer.

Towing Devices

Tow Dolly

Register towing devices used to transport secondary vehicles behind motor homes, etc., as semitrailers at the owner's discretion. Registration of this type is not required in Texas, but may be required in other jurisdictions. Handle the registration of these vehicles in a manner identical to that used to register semitrailers. The gross weight must include the weight of that portion of the towed vehicle that is being supported by the towing device.

Proof of Payment of the Federal Heavy Vehicle Use Tax (HVUT)

Under the provisions of the Surface Transportation Assistance Act of 1982 (federal law), effective October 1, 1985, the department is required to refuse to register a commercial motor vehicle with a gross weight of 55,000 lbs. or more until proof of HVUT payment is submitted (IRS Form 2290). Permanent Additional Weight that increases the vehicle weight to 55,000 lbs. or more requires proof of HVUT.

Acceptable proof of payment consists of one of the following:

- The original or a copy of the Schedule 1 portion of the **Form 2290** receipted by the Internal Revenue Service (IRS).
- A copy of the **Form 2290** with Schedule 1 attached as filed with the IRS along with a copy of the front and back of the canceled check covering the payment to the IRS.
- A copy of the **Form 2290** with Schedule 1 attached as filed with the IRS along with a validated receipt for payment from a local IRS office in lieu of a copy of a canceled check.

Carriers required to file the **Form 2290** electronically (25 or more vehicles) receive an electronic receipt. The e-form includes an “IRS e-file” watermark and indicates the payment date in the following format - “Received MM/DD/YYYY.”

Proof of payment of the Federal HVUT, for either the current tax year (July 1st of the current year through June 30th of the following year), or the preceding tax year (July 1st of the previous year through June 30th of the current year), is acceptable through October 1st of the current year.

If the Federal HVUT payment was on 21 or less vehicles, a list of the VINs of each vehicle is on the Schedule 1. If a VIN is not listed, the vehicle is not registered until acceptable proof of payment of the tax for the vehicle is provided unless an exception applies.

If the Schedule 1, **Form 2290**, covers more than 21 vehicles, a listing of VINs is not required.

Questions regarding this tax should be directed to the IRS at 1-800-829-1040 or to a local IRS office. Visit www.irs.gov for more information.

Exemptions

Proof of HVUT payment is not required on a vehicle being registered for 55,000 lbs. or more under the following circumstances:

- apprehensions,
- new vehicles,
- used vehicles transferred within 60 days of the date of application for title and registration, and
- vehicles previously wrecked, in storage, or otherwise out of service and not registered or operated during the current registration year or during the current tax year.

If there was no vehicle operation during the current registration or tax year, submit a separate affidavit to reflect the required statements. This provision is made because the tax is not payable to the IRS until the last day of the month following the month of first taxable use in a tax period. Consequently, proof of payment is not available if the tax is not due at the time the vehicle is being registered.

If an exemption is in order because a vehicle is new, falls under the 60-day transfer rule, or has been unused during the current registration or tax year, record one of the following notations on the receipt in addition to the Texas title number or the abbreviation of the state where last titled, whichever is applicable. The county selects “Verified Heavy Vehicle Use Tax” in the system.

The Federal HVUT is not required if a commercial vehicle with a gross weight of 55,000 lbs. or more is:

- operating under a temporary permit,
- operated less than 5,000 miles, or
- a heavy agriculture vehicle that is operated less than 7,500 miles in a tax year, and
- appears on Part II of the Schedule 1 (**Form 2290**), and the form receipted by the IRS.

Federal regulations require proof of payment only once during a tax year. Therefore, proof of payment is required when registration is initially issued for a vehicle but not required when registration is issued on a replacement or exchange basis.

The IRS has advised that an applicant who has not paid the tax at the time vehicle registration is attempted, may pay the tax and obtain a validated receipt for payment only at IRS offices.

A registrant is required to provide proof of payment of the Federal HVUT when a vehicle weight is voluntarily increased to 55,000 lbs. or more during a registration year.

If the vehicle operates at an increased weight prior to the payment of Federal HVUT, the registrant is required to obtain a 72-Hour or 144-Hour temporary permit.

Vehicles registered with Seasonal Agricultural registration must submit Federal HVUT if the vehicle is 55,000 lbs. or more.

2.4 Soil Conservation Equipment

Transportation Code, Sec. 502.435. Certain Soil Conservation Equipment.

(a) The owner of a truck-tractor, semitrailer, or low-boy trailer used on a highway exclusively to transport the owner's soil conservation machinery or equipment used in clearing real property, terracing, or building farm ponds, levees, or ditches may register the vehicle for a fee equal to 50 percent of the fee otherwise prescribed by this chapter for the vehicle.

(b) An owner may register only one truck-tractor and only one semitrailer or low-boy trailer under this section.

(c) An owner must certify that the vehicle is to be used only as provided by Subsection (a).

(d) The registration receipt issued for a vehicle registered under this section must be carried in or on the vehicle and state the nature of the operation for which the vehicle may be used.

(e) A vehicle to which this section applies that is operated on a public highway in violation of this section is considered to be operated while unregistered and is immediately subject to the applicable registration fees and penalties prescribed by this chapter.

2.5 Trailers Transporting Soil Conservation Machinery or Equipment

Owners of trucks, truck-tractors, semitrailers, and lowboy trailers used solely for transporting their own soil conservation machinery or equipment, may qualify and register **one** truck or truck-tractor and **one** semitrailer or lowboy trailer at a fee which is 50% of the truck or trailer registration fee usually charged for such a vehicle.

The gross vehicle weight is not a factor in determining the qualification of a truck or truck-tractor for soil conservation registration. Therefore, any commercial vehicle may qualify including pickup trucks.

All semitrailers that are capable of transporting soil conservation machinery or equipment may qualify for soil conservation registration; however, full trailers are not eligible for soil conservation registration unless it is a lowboy design.

A lowboy full trailer is constructed to have its bed either axle level or lower.

Note: A commercial vehicle registered with Soil Conservation license plates may not pull a semi-trailer registered with Token Trailer license plates. The trailer would need to display a 72/144-Hour Permit. See Truck Combination 72/144-Hour Permit Quick Reference.

Soil Conservation Machinery or Equipment

Examples of Soil conservation machinery or equipment used in the clearing of land, terracing, building farm ponds, levees, or ditches includes:

- Maintainers,
- Bulldozers,
- Scrapers,
- Draglines,
- Plows, such as those used in the building of terraces,
- Front-end loaders,
- Backhoes, and
- Dozer blades.

Additional supplies needed for the function of soil conservation machinery or equipment is permitted on vehicles displaying Soil Conservation license plates. Some examples include:

- Fuel drums,
- Additional parts used in the operation of soil conservation machinery or equipment, and
- Tools used in the repairing of soil conservation machinery or equipment.

Application for Soil Conservation Registration

The applicant must complete and submit *Application for Soil Conservation Registration*, **Form VTR-45** to their local county tax assessor-collector office.

Owners including both individuals and firms (corporations), may qualify for the registration of one truck or one truck-tractor and one semitrailer or one lowboy trailer. The application is maintained at the county office and the file should be checked each time an application for a Soil Conservation license plate is received to ensure that no more than two Soil Conservation license plates are issued.

After initial issuance, the owner may renew the plates annually by submitting to the county tax assessor-collector the previous year's Soil Conservation registration receipt and completing a new application, *Application for Soil Conservation Registration*, **Form VTR-45.**

Soil Conservation License Plates

Soil Conservation license plates are "annual" plates issued each year for the established registration period of April 1st through March 31st of the succeeding year. The fee is 50% of the registration fee.

When a vehicle is transferred to an applicant who does not qualify for Soil Conservation license plates, the new owner must exchange the Soil Conservation license plate for truck and/or trailer registration. Credit is allowed for the unexpired portion of the registration fee.

When a vehicle is transferred to an applicant who qualifies for a Soil Conservation license plate, the purchaser must complete an *Application for Soil Conservation Registration*, **Form VTR-45** and the Soil Conservation license plate may be transferred.

Soil Conservation License Plates Violations

Vehicles displaying Soil Conservation license plates operated in violation of this subsection are subject to full commercial registration. The registration fees are collected from the date of apprehension for the remaining portion of the registration year plus a 20% penalty. Credit is allowed for the unexpired portion of the Soil Conservation license plate.

2.6 Road Tractor Fees

Transportation Code, Sec. 502.256. Fee: Road Tractor.

The fee for a registration year for registration of a road tractor is the fee prescribed by weight as certified by a public weigher or a license and weight inspector of the Department of Public Safety under Section 502.252 or 502.253, as applicable.

Farm Type Tractor Plates

Register tractors used as road tractors to mow the right-of-way or used to move commodities over the highway for hire with a Road Tractor license plate.

- Farm tractors operated temporarily on the highway are not required to be registered.
- Register tractors used in construction such as backhoes and bulldozers with Machinery license plates.

If a farm tractor or machinery registered tractor is apprehended for operating in violation of the registration statutes, it must be registered with a Road Tractor license plates.

Trailer Jockey

Register Trailer Jockey's (yard dogs) with Road Tractor license plates unless the Trailer Jockey is used in combination. As a prerequisite to title and registration, Trailer Jockeys must meet the Federal DOT and Texas safety standards. Ownership evidence must be a secure Manufacturer's Certificate of Origin (MCO). Proof of financial responsibility in the applicant's name is required.

Road Tractor license plates are issued on a staggered basis.

Application for title is required as a prerequisite to the issuance of Road Tractor license plates.

2.7 Foreign Commercial Vehicles Annual Permits

Transportation Code, Sec. 502.093. Foreign Commercial Vehicles; Annual Permits; Offense.

(a) The department may issue an annual permit in lieu of registration to a foreign commercial motor vehicle, trailer, or semitrailer that is subject to registration in this state and is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or country in which the vehicle is registered.

(b) A permit issued under this section is valid for a vehicle registration year to begin on the first day of a calendar month designated by the department and end on the last day of the last calendar month of the registration year.

(c) A permit may not be issued under this section for the importation of citrus fruit into this state from a foreign country except for foreign export or processing for foreign export.

(d) A person may obtain a permit under this section by:

(1) Applying in the manner prescribed by the department;

(2) paying a fee in the amount required by Subsection (e) in the manner prescribed by the department, including a service charge for a credit card payment or escrow account; and

(3) furnishing evidence of financial responsibility for the motor vehicle that complies with Sections 502.046(c) and 601.168(a), the policies to be written by an insurance company or surety company authorized to write motor vehicle liability insurance in this state.

(e) The fee for a permit under this section is the fee that would be required for registering the vehicle under Section 502.253 or 502.255, except as provided by Subsection (f).

(f) A vehicle registered under this section is exempt from the token fee and is not required to display the associated distinguishing license plate if the vehicle:

(1) is a semitrailer that has a gross weight of more than 6,000 pounds; and

(2) is used or intended to be used in combination with a truck tractor or commercial motor vehicle with a gross vehicle weight of more than 10,000 pounds.

(g) A vehicle registered under this section is not subject to the fee required by Section 502.401 or 502.403.

Annual Permits Offense

Transportation Code Sec. 502.476. Annual Permits: Offense

A person who violates Section 502.093 commits an offense.

NAFTA Annual Permits

NAFTA annual permits are issued by the TxDMV Regional Service Centers located along and close to the Texas/Mexico border.

- The fee is based on the vehicle's gross weight for the applicable registration classification.
- Proof of insurance is required at the time application is made. If the applicant is a motor carrier registered with the Motor Carrier Division, a registration listing is acceptable with the application in lieu of proof of insurance.
- Currently, the receipt for a NAFTA annual permit is issued with a template on an original department letterhead through the Regional Service Centers. The receipt must accompany the vehicle at all times during the period in which the permit is valid.

A vehicle's registration with a NAFTA annual permit is indicated by the display of “ANNUAL PERMIT” on the license plate.

A NAFTA Annual Permit is issued in lieu of registration and is valid for a vehicle registration year to begin on the first day of a calendar month designated and to end on the last day of the last calendar month of the registration year.

- An applicant may increase the weight. The applicant must present the current NAFTA annual registration receipt along with a *Texas NAFTA Permit Application* **Form VTR-29-NAFTA** showing the new weight desired.
- To obtain a replacement NAFTA Annual Permit license plate or registration sticker, the owner must apply directly to the department and pay a replacement fee of $6.
- Proof of Heavy Vehicle Use Tax is required.

Do not issue a NAFTA annual permit for importing citrus fruit into this state from a foreign country, except for foreign export or processing for foreign export.

Do not issue a NAFTA annual permit for a vehicle that has been apprehended for operating illegally.

2.8 Motor Bus Fees

Transportation Code, Sec. 502.168. Fees: Motor Bus.

The fee for a registration year for registration of a motor bus is the fee prescribed by Section 502.252 or 502.253, as applicable.

Motor buses are vehicles that transport persons for hire from a city or town to a destination outside the city limits.

A taxi or any other vehicle which transports passengers for compensation or hire must display Motor Bus license plates when operated outside of the city limits.

A motor bus is registered with the Motor Carrier Division. However, this is not a prerequisite to registration.

- Calculate the registration fees for “Motor Buses” by the gross weight of the buses.
- Determine the gross weight by adding the carrying capacity to the empty weight.
- Obtain the carrying capacity of a motor bus by multiplying its seating capacity by 150 lbs. excluding the driver.

A weight certificate must support the application for title on all new and out-of-state buses.

The additional 11% diesel fee is collected.

Motor Bus license plates may be transferred to the purchaser.

No motor bus may exceed any of the following size limitations:

- 35 feet in length; however, a motor bus may be 45 feet in length if equipped with air brakes and have either three or more axles or a minimum of four tires on the rear axle.
- 13 1/2 feet in height.
- 102 inches in width.

2.9 Tow Trucks

Transportation Code, Sec. 504.508. Tow Trucks.

(a) The department shall issue specialty license plates for a commercial motor vehicle used as a tow truck. The license plates must include the words “Tow Truck.” A vehicle used commercially as a tow truck shall display license plates issued under this section.

(b) There is no fee for issuance of the license plates.

(c) Proof of eligibility for license plates under this section must include a copy of the permit certificate issued by the Texas Department of Licensing and Regulation for the tow truck.

Eligibility

A person may not operate a tow truck in this state unless the tow truck is registered with the Texas Department of Licensing and Regulation (TDLR). Each tow truck must carry a cab card in the cab. The applicant must present the TDLR cab card when applying for Tow Truck license plates.

- Texas-registered tow trucks (except those displaying Combination registration) must display Tow Truck license plates. Tow truck plates for Texas vehicles (except those displaying Combination registration) are issued with staggered expirations.
- Texas-registered tow trucks displaying Combination registration must display a single, small license plate with “Tow Truck,” in addition to the Combination license plate. The small Tow Truck license plates are issued by the TxDMV Regional Service Centers.

- Out-of-state registered tow trucks that operate in Texas and any tow truck displaying apportioned registration that operates in Texas must have a small Tow Truck license plate, in addition to the out-of-state or apportioned license plates. The small Tow Truck license plate should be displayed on the front of the out-of-state vehicle with the out-of-state or apportioned license plate.

Exemptions

The following vehicles are excluded from the requirement to display Tow Truck license plates:

- A motor vehicle owned and used exclusively by a governmental entity, including a public school district.
- A motor vehicle towing:
  - a race car,
  - a motor vehicle for exhibition, or
  - an antique motor vehicle.
- A recreational vehicle towing another vehicle.
- Motor vehicle used in combination with a tow bar, tow dolly, or other mechanical device that is not operated by a commercial enterprise.
- A motor vehicle controlled and/or operated by a farmer or rancher, towing a farm vehicle.

Renewal

Tow Truck license plates for Texas-registered vehicles (except those displaying Combination registration) are renewed annually. The applicant must present the TDLR cab card with the vehicle listed, along with the registration fee.

Replacement

If Tow Truck license plates issued to Texas-registered vehicles are lost, stolen, or mutilated replacements may be obtained from the county tax assessor-collector for $6. The TDLR cab card is not required when requesting a replacement plate. Replacement of small Tow Truck license plates issued to out-of-state registered vehicles, apportioned, and Texas-registered vehicles displaying Combination registration can be obtained through the TxDMV Regional Service Centers.

Transfers not allowed

Tow Truck license plates are nontransferable.

If the new owner cannot provide a Vehicle Registration Listing issued by TDLR in their name (or company name), the county may reject the application for title until the proper credentials are obtained by the new owner.

If the new owner can provide a TDLR cab card in the new owner's name (or company name), a new set of Tow Truck license plates may be issued. If the registration is current, new Tow Truck plates are issued on an exchange basis. If the registration has expired, collect the full registration fee.

2.10 Fleet Registration

Fleet Registration is an online program for registering fleets of intrastate commercial motor vehicles in Texas, making it convenient for business owners and corporations to keep their vehicle registrations current.

Intrastate Fleet Qualifications

Commercial fleet means a group of at least 25 non-apportioned motor vehicles.

- A fleet can include multiple vehicle classes, such as passenger cars, trucks, and motorcycles. There is no maximum number of vehicles.
- Fleet owners can have more than one fleet under their account. There is no maximum number of fleets, but all vehicles in a fleet will have the same expiration date.
- If any fleet contains a combination-plated vehicle, the fleet must have a March expiration date.

Fleet owners can select a registration period of not less than one year and not more than eight years. Registration fees, including an annual $10 per vehicle commercial fee, and all applicable local fees, will be collected for the entire registration period selected at the time of initial registration.

License Plates

Fleet owners have the option of selecting a standard license plate or a custom logo license plate, which will be manufactured with a company name and/or logo. Custom logo license plates must be pre-approved by the department, prior to beginning the multi-year fleet registration process. Both the standard and custom logo license plates will be manufactured with the month and year of expiration, eliminating the registration sticker requirement.

License plate fees:

- Standard license plates: one-time license plate manufacturing fee of $1.50 for each plate or set of plates.
- Custom logo license plates: one-time license plate manufacturing fee of $8.00 for each plate or set of plates.

Registration Process

Qualifying applicants may sign up for Multi-Year Intrastate Fleet Registration, by:

- e-mailing the department at MCD_FleetRegistration@txdmv.gov,
- phone at (512) 374-5250 (Option 6), or
- if you already have an Apportion account you can access the online registration system to obtain your temporary user name and password.

Chapter 3

DISABLED PERSONS

This chapter contains the following sections:

- ***3.1*** Definitions
- ***3.2*** Persons with Disabilities
- ***3.3*** Disabled Parking Placards
- ***3.4*** Parking Placard Application
- ***3.5*** Applicant's Personal Identification
- ***3.6*** Parking Placard Expiration
- ***3.7*** Tax Assessor-Collector Duties
- ***3.8*** Plates and Placards
- ***3.9*** Institutions, Facilities, & Residential Retirement Communities
- ***3.10*** Lost or Destroyed Placard
- ***3.11*** Renewal
- ***3.12*** Placard Database
- ***3.13*** Parking Privileges
- ***3.14*** Veterans with Disabilities
- ***3.15*** Enforcement
- ***3.16*** Enforcement by Appointed Persons
- ***3.17*** Offenses
- ***3.18*** Counterfeit Placards
- ***3.19*** Seizure and Revocation of Placards

3.1 Definitions

Transportation Code, Sec. 681.001. Definitions.

In this chapter:

(1) "Department" means the Texas Department of Motor Vehicles.

(2) "Disability" means a condition in which a person has:

(A) mobility problems that substantially impair the person's ability to ambulate;

(B) visual acuity of 20/200 or less in the better eye with correcting lenses; or

(C) visual acuity of more than 20/200 but with a limited field of vision in which the widest diameter of the visual field subtends an angle of 20 degrees or less.

(3) "Disabled parking placard" means a placard issued under Section 681.002.

(4) "International symbol of access" means the symbol adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled.

(5) "Mobility problem that substantially impairs a person's ability to ambulate" means that the person:

(A) cannot walk 200 feet without stopping to rest;

(B) cannot walk without the use of or assistance from an assistance device, including a brace, a cane, a crutch, another person, or a prosthetic device;

(C) cannot ambulate without a wheelchair or similar device;

(D) is restricted by lung disease to the extent that the person's forced respiratory expiratory volume for one second, measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest;

(E) uses portable oxygen;

(F) has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association;

(G) is severely limited in the ability to walk because of an arthritic, neurological, or orthopedic condition;

(H) has a disorder of the foot that, in the opinion of a person licensed to practice podiatry in this state or in a state adjacent to this state, limits or impairs the person's ability to walk; or

(I) has another debilitating condition that, in the opinion of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, limits or impairs the person's ability to walk.

(6) "Podiatry" has the meaning assigned by Section 202.001, Occupations Code.

(7) "Stand" or "standing" means to halt an occupied or unoccupied vehicle, other than temporarily while receiving or discharging passengers.

3.2 Persons with Disabilities

Transportation Code, Sec. 504.201. Persons with Disabilities.

(a) In this section:

(1) "Disability" and "mobility problem that substantially impairs a person's ability to ambulate" have the meanings assigned by Section 681.001.

(2) "Legally blind" means a condition described by Section 681.001(2)(B) or (C).

(3) "Practice of optometry" and "practice of therapeutic optometry" have the meanings assigned by Section 351.002, Occupations Code.

(b) The department shall issue specialty license plates for a motor vehicle that:

(1) has a gross vehicle weight of 18,000 pounds or less; and

(2) is regularly operated for noncommercial use by or for the transportation of a person with a permanent disability.

(c) An owner of a motor vehicle regularly operated by or for the transportation of a person described by Subsection (a) may apply to the department for registration under this section.

(d) Except as provided by Subsection (d-1), the initial application for specialty license plates under this section must be accompanied by a written statement from a physician who is licensed to practice medicine in this state or in a state adjacent to this state or who is authorized by applicable law to practice medicine in a hospital or other health facility of the Department of Veterans Affairs. If the applicant has a mobility problem caused by a disorder of the foot, the written statement may be issued by a person licensed to practice podiatry in this state or a state adjacent to this state. In this subsection, "podiatry" has the meaning assigned by Section 681.001. The statement must certify that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement must also certify whether a mobility problem is temporary or permanent. A written statement is not required as acceptable medical proof if:

(1) the person with a disability:

(A) has had a limb, hand, or foot amputated; or

(B) must use a wheelchair; and

(2) the applicant executes a statement attesting to the person's disability before the county assessor-collector.

(d-1) If the initial application for specialty license plates under this section is made by or on behalf of a person who is legally blind, the written statement required by Subsection (d) may be issued by a person licensed to engage in the practice of optometry or the practice of therapeutic optometry in this state or a state adjacent to this state.

(e) A person with a disability may receive:

(1) one disabled parking placard under Section 681.002 if the person receives a set of license plates under this section; or

(2) two disabled parking placards under Section 681.002 if the person does not receive a set of license plates under this section.

(f) A license plate issued under this section must include the symbol of access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled. The symbol must be the same size as the numbers on the license plate.

(g) In addition to a license plate issued under this section, an eligible person is entitled to be issued a set of the license plates for each motor vehicle owned by the person that has a gross vehicle weight of 18,000 pounds or less and is equipped with special equipment that:

(1) is designed to allow a person who has lost the use of one or both of the person's legs to operate the vehicle; and

(2) is not standard equipment on that type of vehicle for use by a person who has use of both legs.

3.3 Disabled Parking Placards

Transportation Code, Sec. 681.002. Disabled Parking Placard.

(a) The department shall provide for the issuance of a disabled parking placard to a person with a disability.

(b) A disabled parking placard must be two-sided and hooked and include on each side:

(1) the international symbol of access, which must be at least three inches in height, be centered on the placard, and be:

(A) white on a blue shield for a placard issued to a person with a permanent disability; or

(B) white on a red shield for a placard issued to a person with a temporary disability;

(2) an identification number;

(3) an expiration date at least three inches in height; and

(4) the seal or other identification of the department.

(c) The department shall furnish the disabled parking placards to each county assessor-collector.

(d) A disabled parking placard must bear a hologram designed to prevent the reproduction of the placard or the production of a counterfeit placard.

(e) In addition to the expiration date included on a disabled parking placard under Subsection (b), the expiration date must be indicated on the placard by a month and year hole-punch system.

3.4 Parking Placard Application

Transportation Code, Sec. 681.003. Parking Placard Application.

(a) An owner of a motor vehicle regularly operated by or for the transportation of a person with a disability may apply for a disabled parking placard.

(b) An application for a disabled parking placard must be:

(1) on a form furnished by the department;

(2) submitted to the county assessor-collector of the county in which the person with the disability resides or in which the applicant is seeking medical treatment if the applicant is not a resident of this state; and

(3) accompanied by a fee of $5 if the application is for a temporary placard.

(c) Subject to Subsection (e) and (f), the first application must be accompanied by a notarized written statement or written prescription of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the United States Department of Veterans Affairs, certifying and providing evidence

acceptable to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement or prescription must include a certification of whether the disability is temporary or permanent and information acceptable to the department to determine the type of disabled parking placard for which the applicant is eligible. The department shall determine a person's eligibility based on evidence provided by the applicant establishing legal blindness or mobility impairment.

(d) Information concerning the name or address of a person to whom a disabled parking placard is issued or in whose behalf a disabled parking placard is issued is confidential and not subject to disclosure under Chapter 552, Government Code.

(e) If a first application for a disabled parking placard under this section is made by or on behalf of a person with:

(1) a mobility problem caused by a disorder of the foot, the notarized written statement or written prescription required by Subsection (c) may be issued by a person licensed to practice podiatry in this state or a state adjacent to this state.; or

(2) a disability caused by an impairment of vision as provided by Section 681.001(2), the notarized written statement or written prescription required by Subsection (c) may be issued by a person licensed to engage in the practice of optometry or the practice of therapeutic optometry in this state or a state adjacent to this state.

(f) This subsection applies only to the first application for a disabled parking placard submitted by a person. The notarized written statement or prescription may be issued by:

(1) a person acting under the delegation and supervision of a licensed physician in conformance with Subchapter B, Chapter 157, Occupations Code; or

(2) a physician assistant licensed to practice in this state acting as the agent of a licensed physician under Section 204.202(e), Occupations Code.

(g) In this section, “practice of optometry” and “practice of therapeutic optometry” have the meanings assigned by Section 351.002, Occupations Code.

3.5 Applicant’s Personal Identification

Transportation Code, Sec. 681.0031. Applicant's Identification.

(a) The applicant shall include on the application the applicant's:

(1) driver's license number or the number of a personal identification card issued to the applicant under Chapter 521;

(2) military identification number; or

(3) driver’s license number of a driver’s license issued by another state or country if the applicant is not a resident of this state and is seeking medical treatment in this state.

(b) The county assessor-collector shall record on any disabled parking placard issued to the applicant the following information in the following order:

(1) the county number assigned by the comptroller to the county issuing the placard;

(2) the first four digits of the applicant's driver's license number, personal identification card number, or military identification number; and

(3) the applicant's initials.

3.6 Parking Placard Expiration

Transportation Code, Sec. 681.004. Issuance of Parking Placard; Expiration.

(a) A person with a permanent disability may receive:

(1) two disabled parking placards, if the person does not receive a set of special license plates under Section 504.201;

(2) one disabled parking placard, if the person receives a set of special license plates under Section 504.201; or

(3) two disabled parking placards, if the person receives two sets of special license plates under Section 504.202.

(b) A person with a temporary disability may receive two disabled parking placards.

(c) A disabled parking placard issued to a person with a permanent disability:

(1) is valid for:

(A) four years for a resident of this state; and

(B) six months for a person who is not a resident of this state; and

(2) shall be replaced or renewed on request of the person to whom the initial card was issued without presentation of evidence of eligibility.

(d) A disabled parking placard issued to a person with a temporary disability expires after the period set by the department and may be renewed at the end of that period if the disability remains as evidenced by a physician's statement or prescription submitted as required for a first application under Section 681.003(c).

3.7 Tax Assessor-Collector Duties

Transportation Code, Sec. 681.005. Duties of County Assessor-Collector.

Each county assessor-collector shall send to the department each fee collected under Section 681.003, to be deposited in the Texas Department of Motor Vehicles fund to defray the cost of providing the disabled parking placard.

3.8 Plates and Placards

There are two types of disabled person identification for vehicles.

Disabled Person Plates

Disabled Person license plates are manufactured with the International Symbol of Access (ISA) on the plate. These plates are issued for display on motor vehicles that have a gross vehicle weight of 18,000 lbs. or less (non-commercial use only) and regularly operated by or for the transportation of persons with a permanent disability.

Not Transferable

Disabled Person license plates may not be transferred between persons. Disabled Person license plates may be transferred between vehicles if the county can verify the plate is in the applicant's name. Verification may include: an RTS inquiry, a copy of the VTR-214, or the owner's current registration receipt. An owner who sells or trades a vehicle with Disabled Person license plates must remove the plates from the vehicle.

Note: When Disabled Person license plates are transferred in RTS, the plate number will be entered on the plate inventory screen INV001. The transaction will appear on the Batch Inventory Action Report (BIAR) under part A as "inventory items were issued but not removed from inventory."

Disabled Parking Placards

Parking placards are available for issuance to a person with either a temporary or permanent disability.

The placards are designed to hang from the vehicle's rear view mirror when the vehicle is parked in a disabled parking space. If the vehicle does not have a rear view mirror, display the placard on the center portion of the dashboard, in a manner that is clearly visible through the windshield.

When a Disabled Parking Placard is placed on the rear view mirror of a vehicle transporting a person with a disability, the vehicle operator is afforded the same parking privileges as the operator of a vehicle displaying Disabled Person license plates.

Both disabled placards have an expiration date area that is at least three inches in height and a month/year hole-punch system expiration date.

Information written on the placard includes: County Number, first four digits of the Driver License, Identification Card, or Military Identification and initials of applicant.

Blue Placards

Blue Disabled Parking Placard(s) are issued to a person with a permanent disability.

Red Placards

Red Disabled Parking Placard(s) are issued to a person with a temporary disability.

Red Placards for Out-of-State/Country

Red Disabled Parking Placard(s) are issued to a person with a permanent disability that is an out-of-state/country resident and seeking medical treatment in Texas.

Placard Fee

There is no fee for blue placards issued for a permanent disability; there is a $5 fee for each red placard issued for a temporary disability (up to two red placards may be issued).

When issuing a red placard for a person with a permanent disability that is an out-of-state/country resident and seeking medical treatment in Texas, do not charge the $5 fee.

Length of Time Placards are Valid

Blue disabled placards (permanent) are valid for a maximum of four years.

Red disabled placards (temporary) are valid for six months from the date of issuance, or until the end of the disability, whichever comes first.

Red disabled placards (out-of-state/country residents with a permanent disability and seeking medical treatment in Texas) are valid for six months from the date of issuance, or until the end of the disability, whichever comes first.

Limitations

A person with a permanent disability may obtain:

- two blue Disabled Parking Placards, or
- one blue Disabled Parking Placard and one set of license plates (additional sets of Disabled Person license plates may be issued to vehicles that have been specially equipped to be operated by a person who has lost the use of one or both legs, and disabled veterans with qualifying vehicles).

A person with a red Disabled Parking Placard may not obtain Disabled Person license plates.

Application Information

Application for Disabled Person license plates or Disabled Parking Placards must be obtained through the county tax assessor-collector in the county in which the applicant resides or in the county in which the applicant is seeking medical treatment if the applicant is not a resident of this state. The applicant may be the owner of a registered vehicle that is regularly operated by or for the transportation of a disabled person or a disabled person who is not a vehicle owner.

Application for Disabled Parking Placards and Disabled Person license plates may be made by submitting an *Application for Persons with Disabilities Parking Placard and/or License Plate,* **Form VTR-214**.

Driver License or Identification Number Required

The disabled person, or person making application on behalf of the disabled person, must include their driver license (DL) number or identification card number issued by the Texas Department of Public Safety. Out-of-state DL or ID numbers are allowed for nonresidents who have a Texas address (such as “Winter Texans”). Out-of-state or country DL or ID numbers are allowed for a nonresident seeking medical treatment in Texas.

Out-of-state DL or ID numbers are permissible for nonresident military personnel or the spouse of military personnel stationed on a military installation in Texas. If the person with the disability has a DL or Texas ID number issued to them, it is preferable to show the disabled person's number on the placard since the vehicle is to be used on their behalf.

Section 521.001 of the Transportation Code defines “License” as an authorization to operate a motor vehicle which includes:

- a driver's license;
- the privilege of a person to operate a motor vehicle regardless of whether the person holds a driver's license; and
- a nonresident's operating privilege.

Proof of Disability

Initial application for Disabled Person plates and/or Parking Placard must provide for proof of disability.

The “Disability Statement” on the **Form VTR-214** must be signed by:

- a physician licensed to practice medicine in Texas, Arkansas, Louisiana, New Mexico, or Oklahoma;
- a physician's assistant, advanced practice nurse, or advanced nurse practitioner licensed in Texas, Arkansas, Louisiana, New Mexico, or Oklahoma;
- a physician practicing medicine in the U.S. military on a military installation in Texas;
- a physician practicing medicine in a hospital or other health facility of the Department of Veterans Affairs; or
- a person licensed to practice podiatry or optometry in Texas, Arkansas, Louisiana, New Mexico, or Oklahoma.

The licensed medical professional’s signature must be notarized on the VTR-214 unless a separate written original prescription (or electronic) is submitted in lieu of the notarized signature. A written prescription includes an electronic prescription for purposes of disabled placard issuance.

The written (electronic) prescription should include the:

- disabled person’s name,
- type of disability (permanent or temporary), and
- licensed medical professional’s title (as described above) and signature.

3.9 Institutions, Facilities, & Residential Retirement Communities

Transportation Code, Sec. 504.203. Issuance of Disabled License Plates to Certain Institutions.

(a) The department shall issue specialty license plates under this subchapter for a van or bus operated by an institution, facility, or residential retirement community for the elderly or for veterans in which an eligible person resides, including:

(1) an institution that holds a license issued under Chapter 242, Health and Safety Code; or

(2) a facility that holds a license issued under Chapter 246 or 247 of that code.

(b) An application for license plates under this section must be accompanied by a written statement acknowledged by the administrator or manager of the institution, facility, or retirement community certifying that the institution, facility, or retirement community regularly transports, as a part of the services that the institution, facility, or retirement community provides, one or more eligible persons who reside in the institution, facility, or retirement community. The department shall determine the eligibility of the institution, facility, or retirement community on the evidence the applicant provides.

(c) The application and eligibility requirements for a license plate under this section are the same as those provided by Sections 504.201 and 504.202, as applicable.

Institutional Parking Placards

Transportation Code, Sec. 681.0032. Issuance of Disabled Parking Placards to Certain Institutions.

(a) The department shall provide for the issuance of disabled parking placards described by Section 681.002 for a van or bus operated by an institution, facility, or residential retirement community for the elderly in which a person described by Section 504.201(a) resides, including an institution licensed under Chapter 242, Health and Safety Code, and a facility licensed under Chapter 246 or 247 of that code.

(b) The application for a disabled parking placard must be made in the manner provided by Section 681.003(b) and be accompanied by a written statement signed by the administrator or manager of the institution, facility, or retirement community certifying to the department that the institution, facility, or retirement community regularly transports, as a part of the services that the institution, facility, or retirement community provides, one or more persons described by Section 504.201(a) who reside in the institution, facility, or retirement community. The department shall determine the eligibility of the institution, facility, or retirement community on the evidence the applicant provides.

Institutions, facilities, and residential retirement communities which are licensed under Chapter 242, 246, or 247 of the Health and Safety Code may obtain BLUE Disabled Parking Placards and/or Disabled Person license plates, or Disabled Veteran license plates, for vans or buses operated for the transport of their residents. A Texas Vehicle Registration Receipt must be provided for each van or bus for which placards and/or plates are requested.

The application for a Parking Placard must be made in the manner described above and be accompanied by a completed **Form VTR-214**, or written statement signed by the administrator or manager of the institution, facility or retirement community certifying to the department that they transport one or more disabled persons who reside at the facility as part of the services they provide. In these instances, a signature is not required on the application for Disabled Person license plates and/or identification placards.

In lieu of the **Form VTR-214**, the administrator or manager may prepare a statement that indicates the following:

- The name and address of the institution, facility, or retirement community;
- The administrator or manager's name; a statement that the institution, facility, or retirement community transports disabled persons; and
- A statement that the institution, facility, or retirement community is licensed by a Texas state agency; and provides the facility number issued by the agency.

Institutions, facilities, or residential retirement communities are not restricted in the quantity of Disabled Person license plates or placards they can obtain. However, the institution, facility, or residential retirement community must submit a Texas Vehicle Registration Receipt for each van or bus for which Disabled Person license plates or parking placards are requested.

If the Vehicle Registration Receipt indicates that the van or bus is not owned by the institution, facility, or residential retirement community, then a separate written statement is also submitted, stating that the van or bus is in the possession and control of the institution, facility, or residential retirement community and that it is operated for the transportation of its residents with disabilities.

3.10 Lost or Destroyed Placard

If a placard is lost or destroyed, the applicant may obtain a replacement placard if they are able to submit a copy of the original, completed **Form VTR-214**, verifying that a placard was issued. If the applicant does not have a copy of the form, and the county tax assessor-collector's office cannot verify that a placard was issued, the applicant must submit a new **Form VTR-214** with the disability statement completed and notarized physician's or applicable signature (or a separate written or electronic prescription).

3.11 Renewal

To renew a blue parking placard, the following must be submitted to the county tax assessor-collector's office:

- a new **Form VTR-214** (not the disability statement), including the signature of the applicant; and
- the expiring placard(s) or a copy of the original **Form VTR-214**. If the applicant does not have a copy of the form, and the county cannot verify that a placard was issued, the applicant must submit a new **Form VTR-214** with the disability statement completed and notarized physician's or applicable signature (or a separate written or electronic prescription).

Note: The above also applies to out-of-state/country residents with a permanent disability seeking medical treatment in Texas, when their six-month placard expires before medical treatment ends.

A new Form VTR-214 is not required when renewing Disabled Person license plates (even if the plate is seven years old and new plates are being issued).

3.12 Placard Database

The Electronic Placard Database provides the counties with the ability to inquire by:

- Applicant ID (Driver License/Identification Card [DL/ID]),
- Existing Placard Number(s),
- Name (first, middle and/or last), and
- Institution Name to verify the number of placards issued.

The database is also accessible by law enforcement through the Texas Law Enforcement Telecommunications System (TLETS). Law enforcement will have query capability using the Placard Number and/or a DL/ID Number.

The inquiry will provide:

- The name of the disabled person or institution and address,
- The applicant's ID, which may include:
  - TDL of Disabled Person,
  - TDL on Behalf of Disabled Person,
  - TX ID of Disabled Person,
  - TX ID on Behalf of Disabled Person,
  - Facility #,
  - Out-of-State/Country Driver License,
  - Out-of-State/Country ID,
  - Military ID,
  - Dates Placard is Valid, and
  - County Issued.

Note: Placards issued prior to 12/17/2008 will not be in the database.

County Retention of VTR-214 Records

Each county tax office must maintain a copy of the **Form VTR-214** for two years.

3.13 Parking Privileges

Transportation Code, Sec. 681.006. Parking Privileges: Persons with Disabilities.

(a) Subject to Section 681.009(e), a vehicle may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities if:

(1) the vehicle is being operated by or for the transportation of a person with a disability; and

(2) there are:

(A) displayed on the vehicle special license plates issued under Section 504.201; or

(B) placed on the rearview mirror of the vehicle's front windshield a disabled parking placard.

(b) The owner of a vehicle is exempt from the payment of a fee or penalty imposed by a governmental unit for parking at a meter if:

(1) the vehicle is being operated by or for the transportation of a person with a disability; and

(2) there are:

(A) displayed on the vehicle special license plates issued under Section 504.201; or

(B) placed on the rearview mirror of the vehicle's front windshield a disabled parking placard.

(c) The exemption provided by Subsection (b) or (e) does not apply to a fee or penalty:

(1) imposed by a branch of the United States government; or

(2) imposed by a governmental unit for parking at a meter, in a parking garage or lot, or in a space located within the boundaries of a municipal airport.

(d) This section does not permit a vehicle to be parked at a time when or a place where parking is prohibited.

(e) A governmental unit may provide by ordinance or order that the exemption provided by Subsection (b) also applies to payment of a fee or penalty imposed by the governmental unit for parking in a parking garage or lot or in a space with a limitation on the length of time for parking.

Transportation Code, Sec. 681.007. Parking Privileges: Vehicles Displaying International Symbol of Access.

A vehicle may be parked and is exempt from the payment of a fee or penalty in the same manner as a vehicle that has displayed on the vehicle special license plates issued under Section 504.201 or a disabled parking placard as provided by Section 681.006 if there is displayed on the vehicle a license plate or placard that:

(1) bears the international symbol of access; and

(2) is issued by a state or by a state or province of a foreign country to the owner or operator of the vehicle for the transportation of a person with a disability.

Only vehicles operated by or for the transportation of a disabled person are eligible to park in areas or spaces that are designated specifically for disabled persons.

Blue and Red Placards

Vehicles displaying Disabled Parking Placards may park in any parking space designated specifically for disabled persons.

Disabled Person License Plates

Vehicles displaying Disabled Person license plates may park in any disabled parking space.

Disabled Veteran License Plates

Vehicles displaying Disabled Veteran license plates may park in any disabled parking space.

Parking Fees

Owners of vehicles displaying Blue or Red Disabled Parking Placards or Disabled Person license plates are exempt from the payment of a fee or penalty imposed by a governmental unit for parking at a meter if the vehicles are being operated by or for the transportation of persons with a disability.

This exemption does not apply to a fee or penalty imposed by:

- a branch of the United States government, or
- a governmental unit for parking at a meter, in a parking garage or lot, or in a space located within the boundaries of a municipal airport.

Air Medal, Air Medal with Valor, Bronze Star, Bronze Star with Valor, Congressional Medal of Honor, Distinguished Service Medal, Defense Superior Service Medal, Disabled Veteran, Former Prisoner of War, Legion of Merit, Legion of Valor (Air Force Cross, Distinguished Service Cross, Army Distinguished Service Cross, or Navy Cross), Pearl Harbor Survivor, Purple Heart, Silver Star, or World War II license plates are exempt from the payment of parking fees, including a fee collected through a parking meter, charged by a governmental authority other than a branch of the federal government. These vehicles are only exempt from the parking fees if they are being operated by or for the transportation of the person who registered the vehicle with the above mentioned license plates.

Statute grants reciprocal parking privileges to the owner or operator of a vehicle used for the transportation of disabled persons when the vehicle displays a license plate or identification card that bears the International Symbol of Access issued by another state or country.

Note: Governmental units, by ordinance or order, may waive the fees for parking lots or garages.

3.14 Veterans with Disabilities

Refer to Chapter 19, “Military Specialty License Plates” for information regarding veterans with disabilities.

3.15 Enforcement

Transportation Code, Sec. 681.010. Enforcement.

(a) A peace officer or a person designated by a political subdivision to enforce parking regulations may file a charge against a person who commits an offense under this chapter at a parking space or area designated as provided by Section 681.009.

(b) A security officer commissioned under Chapter 1702, Occupations Code, and employed by the owner of private property may file a charge against a person who commits an offense under this chapter at a parking space or area designated by the owner of the property as provided by Section 681.009.

3.16 Enforcement by Appointed Persons

Transportation Code, Sec. 681.0101. Enforcement by Certain Appointed Persons.

(a) A political subdivision may appoint a person to have authority to file a charge against a person who commits an offense under this chapter.

(b) A person appointed under this section must:

(1) be a United States citizen of good moral character who has not been convicted of a felony;

(2) take and subscribe to an oath of office that the political subdivision prescribes; and

(3) successfully complete a training program of at least four hours in length developed by the political subdivision.

(c) A person appointed under this section:

(1) is not a peace officer;

(2) has no authority other than the authority applicable to a citizen to enforce a law other than this chapter; and

(3) may not carry a weapon while performing duties under this section.

(d) A person appointed under this section is not entitled to compensation for performing duties under this section or to indemnification from the political subdivision or the state for injury or property damage the person sustains or liability the person incurs in performing duties under this section.

(e) The political subdivision and the state are not liable for any damage arising from an act or omission of a person appointed under Subsection (a) in performing duties under this section.

3.17 Offenses

Transportation Code, Sec. 681.011. Offenses; Presumption.

(a) A person commits an offense if:

(1) the person stands a vehicle on which are displayed license plates issued under Section 504.201 or 504.202 or a disabled parking placard in a parking space or area designated specifically for persons with disabilities by:

(A) a political subdivision; or

(B) a person who owns or controls private property used for parking as to which a political subdivision has provided for the application of this section under Subsection (f); and

(2) the standing of the vehicle in that parking space or area is not authorized by Section 681.006, 681.007, or 681.008.

(b) A person commits an offense if the person stands a vehicle on which license plates issued under Section 504.201 or 504.202 are not displayed and a disabled parking placard is not displayed in a parking space or area designated specifically for individuals with disabilities by:

(1) a political subdivision; or

(2) a person who owns or controls private property used for parking as to which a political subdivision has provided for the application of this section under Subsection (f).

(c) A person commits an offense if the person stands a vehicle so that the vehicle blocks an architectural improvement designed to aid persons with disabilities, including an access aisle or curb ramp.

(d) A person commits an offense if the person lends a disabled parking placard issued to the person to a person who uses the placard in violation of this section.

(e) In a prosecution under this section, it is presumed that the registered owner of the motor vehicle is the person who left the vehicle standing at the time and place the offense occurred.

(f) A political subdivision may provide that this section applies to a parking space or area for persons with disabilities on private property that is designated in compliance with the identification requirements referred to in Section 681.009(b).

(g) Except as provided by Subsections (h)-(k), an offense under this section is a misdemeanor punishable by a fine of not less than $500 or more than $750.

(h) If it is shown on the trial of an offense under this section that the person has been previously convicted one time of an offense under this section, the offense is punishable by:

(1) [2 Versions: As added by Acts 2009, 81st Leg., ch.1160] a fine of not less than $550 or more than $800; and

(1) [2 Versions: As added by Acts 2009, 81st Leg., ch.1336] a fine of not less than $500 or more than $800; and

(2) 10 hours of community service.

(i) If it is shown on the trial of an offense under this section that the person has been previously convicted two times of an offense under this section, the offense is punishable by:

(1) a fine of not less than $550 or more than $800; and

(2) [2 Versions: As amended by Acts 2009, 81st Leg., ch.1160] not less than 20 hours of or more than 30 hours of community service.

(2) [2 Versions: As amended by Acts 2009, 81st Leg., ch.1336] 20 hours of community service.

(j) If it is shown on the trial of an offense under this section that the person has been previously convicted three times of an offense under this section, the offense is punishable by:

(1) a fine of not less than $800 or more than $1,100; and

(2) [2 Versions: As amended by Acts 2009, 81st Leg., ch.1160] 50 hours of community service.

(2) [2 Versions: As amended by Acts 2009, 81st Leg., ch.1336] 30 hours of community service.

(k) If it is shown on the trial of an offense under this section that the person has been previously convicted four times of an offense under this section, the offense is punishable by a fine of $1,250 and 50 hours of community service.

(l) A person commits an offense if the person:

(1) stands a vehicle on which are displayed license plates issued under Section 504.201 or a disabled parking placard in a parking space or area for which this chapter creates an exemption from payment of a fee or penalty imposed by a governmental unit;

(2) does not have a disability;

(3) is not transporting a person with disability; and

(4) does not pay any applicable fee related to standing in the space or area imposed by a governmental unit or exceeds a limitation on the length of time for standing in the space or area.

Law enforcement can seize a Disabled Person Placard if the first 4 digits of the Driver License, Identification Card, or Military Identification on the placard do not belong to the person operating the vehicle, the applicant on behalf of the disabled person, or the disabled person.

3.18 Counterfeit Placards

Transportation Code, Sec. 681.0111. Manufacture, Sale, Possession, or Use of Counterfeit Placard.

(a) A person commits an offense if, without the department's authorization, the person:

(1) manufactures, sells, or possesses a placard that is deceptively similar to a disabled parking placard; or

(2) alters a genuine disabled parking placard.

(b) A person commits an offense if the person knowingly parks a vehicle displaying a counterfeit or altered placard in a parking space or area designated specifically for persons with disabilities.

(c) An offense under Subsection (a) is a Class A misdemeanor. An offense under Subsection (b) is a Class C misdemeanor.

(d) For purposes of this section, a placard is deceptively similar to a disabled parking placard if the placard is not a genuine disabled parking placard but a reasonable person would presume that it is a genuine disabled parking placard.

3.19 Seizure and Revocation of Placards

Transportation Code, Sec. 681.012. Seizure and Revocation of Placard.

(a) A law enforcement officer who believes that an offense under Section 681.011(a) or (d) has occurred in the officer's presence shall seize any disabled parking placard involved in the offense. Not later than 48 hours after the seizure, the officer shall determine whether probable cause existed to believe that the offense was committed. If the officer does not find that probable cause

existed, the officer shall promptly return each placard to the person from whom it was seized. If the officer finds that probable cause existed, the officer, not later than the fifth day after the date of the seizure, shall destroy the placard and notify the department.

(a-1) A peace officer may seize a disabled parking placard from a person who operates a vehicle on which a disabled parking placard is displayed if the peace officer determines by inspecting the person's driver's license, personal identification certificate, or military identification that the disabled parking placard does not contain the first four digits of the driver's license number, personal identification certificate number, or military identification number and the initials of:

(1) the person operating the vehicle;

(2) the applicant on behalf of a person being transported by the vehicle; or

(3) a person being transported by the vehicle.

(a-2) A peace officer shall destroy a seized placard and notify the department.

(b) On seizure of a placard under Subsection (a) or (a-1), a placard is revoked. On request of the person from whom the placard was seized, the department shall conduct a hearing and determine whether the revocation should continue or the placard should be returned to the person and the revocation rescinded.

Seizures

A law enforcement officer may seize a Disabled Parking Placard that the officer believes is being used illegally.

Within 48 hours after the placard is seized, the officer must determine if probable cause existed to believe that there was an offense committed.

If it is determined that probable cause did not exist, the placard is returned to the person.

If it is determined that probable cause did exist, no later than the fifth day after the placard is seized, the law enforcement officer must destroy the placard and notify the department's Consumer Relations Division by e-mail or fax of the following:

- placard holder's name and address;
- an image of the seized placard, if available (at a minimum, submit a legible placard number);
- a copy of the citation issued under Transportation Code, Section 681.011(a) or (d) with a legible citation or case number; and
- a brief summary of the events leading to the citation.

Note: If these items are submitted to the county tax office, the tax office should immediately forward them, along with the name and address of the law enforcement agency.

Appealing a Seizure

Persons may request a hearing to determine whether the revocation of the placard should continue or stop.

- A request for a hearing is submitted to the department's General Counsel Office (GCO).
- GCO coordinates the hearing with the State Office of Administrative Hearings (SOAH).
- The department is notified by SOAH and if appropriate, the placard revocation is rescinded. The placard holder may then apply for a replacement placard at the county tax office.

Chapter 4

DRIVER'S PRIVACY PROTECTION ACT

This chapter contains the following sections:

- ***4.1*** Release of Vehicle Registration Information
- ***4.2*** Motor Vehicle Records Disclosure Act
- ***4.3*** Release of Personal Motor Vehicle Records Information
- ***4.4*** Permitted Disclosures
- ***4.5*** Thumb or Finger Images
- ***4.6*** Fees
- ***4.7*** Additional Conditions
- ***4.8*** Resale or Redisclosure
- ***4.9*** Organization of Records
- ***4.10*** False Representation Penalties
- ***4.11*** Ineligible Persons
- ***4.12*** Federal DPPA and Texas MVRDA
- ***4.13*** In Summary

4.1 Release of Vehicle Registration Information

Inquiries

If an individual wants to obtain registration information by license plate number, they may do so by submitting a completed request for *Texas Motor Vehicle Information*, **Form VTR-275** to a TxDMV Regional Service Center or the headquarters office in Austin.

If personal information, motor vehicle title, or registration information is requested under the Public Information Act, it may only be released to the requestor in accordance with the provisions of Transportation Code, Chapter 730, Motor Vehicle Records Disclosure Act.

The Texas Public Information Act (Government Code, Chapter 552) provides that information "…this is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body…" is public information and must be made available to the public (Section 552.021). However, Chapter 552 also provides exceptions for certain types of requests and certain information.

Exceptions

Government Code, Sec. 552.130. Exception: Confidentiality of Certain Motor Vehicle Records.

(a) Information is excepted from the requirements of Section 552.021 if the information relates to:

(1) a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country;

(2) a motor vehicle title or registration issued by an agency of this state or another state or country; or

(3) a personal identification document issued by an agency of this state or another state or country or a local agency authorized to issue an identification document.

(b) Information described by Subsection (a) may be released only if, and in the manner, authorized by Chapter 730, Transportation Code.

(c) Subject to Chapter 730, Transportation Code, a governmental body may redact information described by Subsection (a) from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G.

(d) If, under Subsection (c), a governmental body redacts or withholds information without requesting a decision from the attorney general about whether the information may be redacted or withheld, the requestor is entitled to seek a decision from the attorney general about the matter. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to decide the matter and briefs from the requestor, the governmental body, and any other interested person. The attorney general shall promptly render a decision requested under this subsection, determining whether the redacted or withheld information was excepted from required disclosure to the requestor, not later than the 45th business day after the date the attorney general received the request for a decision under this subsection. The attorney general shall issue a written decision on the matter and provide a copy of the decision to the requestor, the governmental body, and any interested person who submitted necessary information or a brief to the attorney general about the matter. The requestor or the governmental body may appeal a decision of the attorney general under this subsection to a Travis County district court.

(e) A governmental body that redacts or withholds information under Subsection (c) shall provide the following information to the requestor on a form prescribed by the attorney general:

(1) a description of the redacted or withheld information;

(2) a citation to this section; and

(3) instructions regarding how the requestor may seek a decision from the attorney general regarding whether the redacted or withheld information is excepted from required disclosure.

Request for Vehicle Information from Incarcerated Individuals

Government Code, Sec. 552.028 relates to requests for information from incarcerated individuals.

Do not release information to an individual who is **imprisoned** or confined in a correctional facility unless the information specifically pertains to that individual. Determination of whether that requestor is an inmate is based on, but not limited to, a return address or the content of the request. Do not ask whether the requestor is imprisoned or confined in a correctional facility.

Correctional facility is defined as "a place designed by law for the confinement of a person arrested for, charged with, or convicted of a criminal offense." The term correctional facility includes municipal or county jails, a confinement facility operated by, or under contract with, any division of the Texas Department of Criminal Justice, and a community corrections facility operated by a community supervision and corrections department.

Permissible Inquiries

Government Code, Sec. 552.222. Permissible Inquiry by Governmental Body to Requestor.

(a) The officer for public information and the officer's agent may not make an inquiry of a requestor except to establish proper identification or except as provided by Subsection (b) or (c).

(b) If what information is requested is unclear to the governmental body, the governmental body may ask the requestor to clarify the request. If a large amount of information has been requested, the governmental body may discuss with the requestor how the scope of a request might be narrowed, but the governmental body may not inquire into the purpose for which information will be used.

(c) If the information requested relates to a motor vehicle record, the officer for public information or the officer's agent may require the requestor to provide additional identifying information sufficient for the officer or the officer's agent to determine whether the requestor is eligible to receive the information under Chapter 730, Transportation Code. In this subsection, "motor vehicle record" has the meaning assigned that term by Section 730.003, Transportation Code.

(d) If by the 61st day after the date a governmental body sends a written request for clarification or discussion under Subsection (b) or an officer for public information or agent sends a written request for additional information under Subsection (c) the governmental body, officer for public information, or agent, as applicable, does not receive a written response from the requestor, the underlying request for public information is considered to have been withdrawn by the requestor.

(e) A written request for clarification or discussion under Subsection (b) or a written request for additional information under Subsection (c) must include a statement as to the consequences of the failure by the requestor to timely respond to the request for clarification, discussion, or additional information.

(f) If the requestor's request for public information included the requestor's physical or mailing address, the request may not be considered to have been withdrawn under Subsection (d) unless the governmental body, officer for public information, or agent, as applicable, sends the request for clarification or discussion under Subsection (b) or the written request for additional information under Subsection (c) to that address by certified mail.

This law provides the authority to request sufficient information from a requestor to determine if they are eligible to receive the motor vehicle record information under Transportation Code, Chapter 730.

4.2 Motor Vehicle Records Disclosure Act

Short Title

Transportation Code, Sec. 730.001. Short Title.

This chapter may be cited as the Motor Vehicle Records Disclosure Act.

Purpose

Transportation Code, Sec. 730.002. Purpose.

The purpose of this chapter is to implement 18 U.S.C. Chapter 123 and to protect the interest of an individual in the individual's personal privacy by prohibiting the disclosure and use of personal information contained in motor vehicle records, except as authorized by the individual or by law.

Definitions

Transportation Code, Sec. 730.003. Definitions.

In this chapter:

(1) "Agency" includes any agency or political subdivision of this state, or an authorized agent or contractor of an agency or political subdivision of this state, that compiles or maintains motor vehicle records.

(2) "Disclose" means to make available or make known personal information contained in a motor vehicle record about a person to another person, by any means of communication.

(3) "Individual record" means a motor vehicle record obtained by an agency containing personal information about an individual who is the subject of the record as identified in a request.

(4) "Motor vehicle record" means a record that pertains to a motor vehicle operator's or driver's license or permit, motor vehicle registration, motor vehicle title, or identification document issued by an agency of this state or a local agency authorized to issue an identification document. The term does not include:

(A) a record that pertains to a motor carrier; or

(B) an accident report prepared under Chapter 550 or 601.

(5) "Person" means an individual, organization, or entity but does not include this state or an agency of this state.

(6) "Personal information" means information that identifies a person, including an individual's photograph or computerized image, social security number, driver identification number, name, address, but not the zip code, telephone number, and medical or disability information. The term does not include:

(A) information on vehicle accidents, driving or equipment-related violations, or driver's license or registration status; or

(B) information contained in an accident report prepared under Chapter 550 or 601.

(7) "Record" includes any book, paper, photograph, photostat, card, film, tape, recording, electronic data, printout, or other documentary material regardless of physical form or characteristics.

4.3 Release of Personal Motor Vehicle Records Information

Transportation Code, Sec. 730.004. Prohibition on Disclosure and Use of Personal Information from Motor Vehicle Records.

Notwithstanding any other provision of law to the contrary, including Chapter 552, Government Code, except as provided by Sections 730.005-730.007, an agency may not disclose personal information about any person obtained by the agency in connection with a motor vehicle record.

Required Disclosure

Transportation Code, Sec. 730.005. Required Disclosure.

Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed for use in connection with any matter of:

(1) motor vehicle or motor vehicle operator safety;

(2) motor vehicle theft;

(3) motor vehicle emissions;

(4) motor vehicle product alterations, recalls, or advisories;

(5) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer;

(6) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of:

(A) the Automobile Information Disclosure Act, 15 U.S.C. Section 1231 et seq.;

(B) 49 U.S.C. Chapters 301, 305, 323, 325, 327, 329, and 331;

(C) the Anti Car Theft Act of 1992, 18 U.S.C. Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 U.S.C. Sections 1646b and 1646c, and 42 U.S.C. Section 3750a et seq., all as amended;

(D) the Clean Air Act, 42 U.S.C. Section 7401 et seq., as amended; and

(E) any other statute or regulation enacted or adopted under or in relation to a law included in Paragraphs (A)-(D);

(7) child support enforcement under Chapter 231, Family Code.;

(8) enforcement by the Texas Workforce Commission under Title 4, Labor Code; or

(9) voter registration or the administration of elections by the secretary of state.

Required Disclosure with Consent

Transportation Code, Sec. 730.006. Required Disclosure with Consent.

Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed to a requestor who demonstrates, in such form and manner as the agency requires, that the requestor has obtained the written consent of the person who is the subject of the information.

4.4 Permitted Disclosures

Transportation Code, Sec. 730.007. Permitted Disclosures.

(a) Personal information obtained by an agency in connection with a motor vehicle record may be disclosed to any requestor by an agency if the requestor:

(1) provides the requestor's name and address and any proof of that information required by the agency; and

(2) represents that the use of the personal information will be strictly limited to:

(A) use by:

(i) a government agency, including any court or law enforcement agency, in carrying out its functions; or

(ii) a private person or entity acting on behalf of a government agency in carrying out the functions of the agency;

(B) use in connection with a matter of:

(i) motor vehicle or motor vehicle operator safety;

(ii) motor vehicle theft;

(iii) motor vehicle product alterations, recalls, or advisories;

(iv) performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers;

(v) motor vehicle market research activities, including survey research; or

(vi) removal of nonowner records from the original owner records of motor vehicle manufacturers;

(C) use in the normal course of business by a legitimate business or an authorized agent of the business, but only:

(i) to verify the accuracy of personal information submitted by the individual to the business or the agent of the business; and

(ii) if the information is not correct, to obtain the correct information, for the sole purpose of preventing fraud by, pursuing a legal remedy against, or recovering on a debt or security interest against the individual;

(D) use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under an order of any court;

(E) use in research or in producing statistical reports, but only if the personal information is not published, redisclosed, or used to contact any individual;

(F) use by an insurer or insurance support organization, or by a self-insured entity, or an authorized agent of the entity, in connection with claims investigation activities, antifraud activities, rating, or underwriting;

(G) use in providing notice to an owner of a towed or impounded vehicle;

(H) use by a licensed private investigator agency or licensed security service for a purpose permitted under this section;

(I) use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. Chapter 313;

(J) use in connection with the operation of a private toll transportation facility;

(K) use by a consumer reporting agency, as defined by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), for a purpose permitted under that Act; or

(L) use for any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.

(b) The only personal information an agency may release under this section is the individual's:

(1) name and address;

(2) date of birth; and

(3) driver's license number.

(c) This section does not:

(1) prohibit the disclosure of a person's photographic image to:

(A) a law enforcement agency, the Texas Department of Motor Vehicles, a county tax assessor-collector, or a criminal justice agency for an official purpose;

(B) an agency of this state investigating an alleged violation of a state or federal law relating to the obtaining, selling, or purchasing of a benefit authorized by Chapter 31 or 33, Human Resources Code; or

(C) an agency of this state investigating an alleged violation of a state or federal law under authority provided by Title 4, Labor Code; or

(2) prevent a court from compelling by subpoena the production of a person's photographic image.

(d) Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed to a requestor by an agency if the requestor:

(1) provides the requestor's name and address and any proof of that information required by the agency; and

(2) represents that the intent of the requestor is to use personal information in the motor vehicle record only for the purpose of preventing, detecting, or protecting against personal identity theft or other acts of fraud and provides any proof of the requestor's intent required by the agency.

(e) If the agency determines that the requestor intends to use personal information requested under Subsection (d) only for the represented purpose, the agency shall release to the requestor any requested personal information in the motor vehicle record.

(f) Personal information obtained by an agency under Section 411.0845, Government Code, in connection with a motor vehicle record may be disclosed as provided by that section.

4.5 Thumb or Finger Images

Transportation Code, Sec. 730.010. Disclosure of Thumb or Finger Images Prohibited.

Notwithstanding any other provision of this chapter, if an agency obtains an image of an individual's thumb or finger in connection with the issuance of a license, permit, or certificate to the individual, the agency may:

(1) use the image only:

(A) in connection with the issuance of the license, permit, or certificate; or

(B) to verify the identity of an individual as provided by Section 521.059; and

(2) disclose the image only if disclosure is expressly authorized by law.

4.6 Fees

Transportation Code, Sec. 730.011. Fees.

Unless a fee is imposed by law, an agency that has obtained information in connection with a motor vehicle may adopt reasonable fees for disclosure of that personal information under this chapter.

4.7 Additional Conditions

Transportation Code, Sec. 730.012. Additional Conditions.

(a) In addition to the payment of a fee adopted under Section 730.011, an agency may require a requestor to provide reasonable assurance:

(1) as to the identity of the requestor; and

(2) that use of the personal information will be only as authorized or that the consent of the person who is the subject of the information has been obtained.

(b) An agency may require the requestor to make or file a written application in the form and containing any certification requirement the agency may prescribe.

4.8 Resale or Redisclosure

Transportation Code, Sec. 730.013. Resale or Redisclosure.

(a) An authorized recipient of personal information may not resell or redisclose the personal information in the identical or a substantially identical format the personal information was disclosed to the recipient by the applicable agency.

(b) An authorized recipient of personal information may resell or redisclose the information only for a use permitted under Section 730.007.

(c) Any authorized recipient who resells or rediscloses personal information obtained from an agency shall be required by that agency to:

(1) maintain for a period of not less than five years records as to any person or entity receiving that information and the permitted use for which it was obtained; and

(2) provide copies of those records to the agency on request.

(d) A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine not to exceed $25,000.

4.9 Organization of Records

Transportation Code, Sec. 730.014. Agency Rules; Organization of Records.

(a) Each agency may adopt rules to implement and administer this chapter.

(b) An agency that maintains motor vehicle records in relation to motor vehicles is not required to also maintain those records in relation to the individuals named in those records.

4.10 False Representation Penalties

Transportation Code, Sec. 730.015. Penalty for False Representation.

(a) A person who requests the disclosure of personal information from an agency's records under this chapter and misrepresents the person's identity or who makes a false statement to the agency on an application required by the agency under this chapter commits an offense.

(b) An offense under Subsection (a) is a Class A misdemeanor.

4.11 Ineligible Persons

Transportation Code, Sec. 730.016. Ineligibility of Certain Persons to Receive Personal Information.

(a) A person who is convicted of an offense under this chapter, or who violates a rule adopted by an agency relating to the terms or conditions for release of personal information to the person, is ineligible to receive personal information under Section 730.007.

(b) For purposes of Subsection (a), a person is considered to have been convicted in a cast if:

(1) A sentence is imposed;

(2) The defendant receives probation or deferred adjudication; or

(3) The court defers final disposition of the case.

4.12 Federal DPPA and Texas MVRDA

The Texas Motor Vehicle Records Disclosure Act (MVRDA) (Transportation Code, Chapter 730) was enacted by the 75th Texas Legislature, 1997, to implement the provisions of the federal Driver's Privacy Protection Act (DPPA) (18 U.S.C. Chapter 123). These laws protect personal information contained in the motor vehicle records maintained by the department. The MVRDA became effective September 1, 1997.

In October 1999, the DPPA was amended to place further restrictions on the release of personal information from motor vehicle records. These amendments became law on December 1, 2000. Additionally, Transportation Code, Chapter 730 was amended by the 77th Texas Legislature, 2001, effective September 1, 2001.

As a result of the amendments to the DPPA, effective December 1, 2000, all motor vehicle records are "closed," and the release and use of **all** personal information contained in **all** motor vehicle records is now restricted.

Terms Used in this Section

Certification of a Required or Permitted Use

Written certification on a *Request for Texas Motor Vehicle Information* **Form VTR-275** or county-generated equivalent, that the personal information in the motor vehicle record is requested for a required or permitted use as provided for by law.

Express Written Consent

Before releasing personal information, you must have express written consent from the subject of the record. Only the personal information of the person providing the written consent may be released. A *Request for Texas Motor Vehicle Information* form completed by the requestor is required in addition to the written authorization from the subject of the record. Such consent or written authorization may consist of:

- *Authorization for Release of Personal Information*, **Form VTR-386***;*
- A written statement that specifically authorizes the release of a person's personal information to another. The statement must include all the information required on the **Form VTR-386**; or

- *Power of Attorney to Transfer a Motor Vehicle*. A person presenting a Power of Attorney granted by a subject of the record has the same access to personal information as the subject and may obtain all personal information in the record.

Masking personal information refers to manually "blacking-out" the applicable personal information, then copying the record to eliminate the ability to read through the black-out.

Motor Vehicle record is any record that relates to a motor vehicle title or registration issued by the department. This includes records in any format, including paper, electronic, etc.

Non-personal information is any information in a motor vehicle record that does not identify or relate to a person. Non-personal information includes:

- Year,
- Make,
- Model,
- Weight,
- Vehicle Identification Number,
- Registration Expiration Date,
- County of Residence Information,
- Title Number (Document Number), and
- Status of the Record (i.e. Title Awaiting Release).

Person refers to an individual, organization, or entity, but does not include a state or agency of the state.

Personal information is any information that identifies a person, including:

- Name and Address of Current Owner,
- Name and Address of Previous Owner,
- License Plate Numbers,
- Temporary Permit Numbers,
- Dealer e-Tags,
- Temporary Timed Permits (30-Day, One-Trip, 72/144-Hour),
- Fleet Registration Temporary Permit,
- Vehicle Transit Permit,
- Disabled Parking Placard Number,
- Lienholder Information, and
- Social Security Numbers (although SSN is no longer captured, some records may still reflect it).

Request for personal information requires a completed application *Texas Motor Vehicle Information*, **Form VTR-275** or county-generated equivalent.

Subject of the record includes a person named in a motor vehicle record, including previous owners or lienholders. If a subject of the record is deceased, the appointed executor or administrator is regarded as the subject and is eligible to receive all personal information in that record.

Penalties

Violations of the provisions of the MVRDA and DPPA can result in civil and criminal penalties. Violations include falsifying statements, or knowingly, obtaining, disclosing, or using the information obtained from a motor vehicle record in violation of these laws. This includes verbal responses, either in-person by telephone, and/or correspondence.

Penalties can apply to anyone who obtains, has access to, uses, or releases/rediscloses motor vehicle information in violation including all employees of the department and county tax assessor-collector offices, as well as subcontractors and deputies of those offices.

Written Request Required

A written request is required if personal information contained in a motor vehicle record is being requested. If requesting multiple records, the applicant may submit one written request and attach a listing of the additional records.

A written request **must** include:

- Who may obtain personal information from a motor vehicle record,
- Certification statements that are required in order to provide information from a motor vehicle record, including that:
  - The information is used for a lawful and legitimate purpose,
  - The information is used only in accordance with the federal DPPA and state MVRDA and only used for the required or permitted use indicated on the request, and
  - The requestor has no convictions of MVRDA violations (Chapter 730) or of a department rule relating to the terms or conditions for release of personal information.
- A listing of the required and permitted uses for which the information may be released,
- A warning statement regarding the penalties for violation of the provisions of these laws,
- A statement of conditions regarding resale and redisclosure of information obtained from motor vehicle records, and
- The signature, printed name, and government-issued photo identification number of the requestor, and the state/agency of issuance and expiration date of the identification.

Transportation Code, Chapter 730 provides that a requestor must provide their name, address, and any other information required to ensure the requestor's identity, every requestor must provide their government-issued photo identification information.

A law enforcement officer requesting personal information for a law enforcement purpose may provide their badge number and name of the department or agency in lieu of their driver's license number when completing a *Request for Texas Motor Vehicle Information*, **Form VTR-275**.

Retention of Requests for Personal Information

All requests for personal information received by department offices are retained for a one-year period. Any accompanying documentation, such as a photocopy of a *Power of Attorney or an Authorization for Release of Personal Information*, **Form VTR-386**, is retained with the request.

Note: A requester that has written authorization to obtain a subject's personal information may only receive that subject's personal information. Mask personal information of any other subject in that record.

Distribution of Surveys, Marketing, or Solicitation

The release or use of personal information from motor vehicle records for the purpose of "bulk distribution of surveys, marketing, or solicitations" is strictly prohibited.

Resale and Redisclosure of Personal Information

The MVRDA and DPPA provide specific provisions that restrict the resale and redisclosure of personal information obtained from a motor vehicle record. The original requester of the personal information:

- May resell or redisclose the personal information only for a permitted use,
- May not resell or redisclose the personal information in an "identical or substantially identical" format,
- Must maintain records for five years of the person the personal information was provided to and the permitted use it was obtained for, and
- Must provide copies of those records to the department upon request.

Non-personal information may be released without restriction.

Electronic Access to Texas Motor Vehicle Records

Businesses and individuals that routinely need to verify Texas motor vehicle record information, such as dealerships, insurance companies, or lienholders, may enter into a contract with the department to access Texas motor vehicle records via the Internet. Access is provided only to entities that certify the information will be used for a required or permitted use. The department can assist with inquiries regarding this service.

Guidelines for Release of Personal Information

The department can only advise county tax offices with general guidance to questions regarding the MVRDA and DPPA restrictions. The county is encouraged to seek legal advice from their county attorneys for any questions regarding the release of personal information and compliance with the provisions of the law.

Provide printouts or vehicle inquiries, if the request is from:

- The subject of the record, provide the entire record;
- A person who certifies a required or permitted use, provide the entire record;
- A person who provides the express written consent of a subject, provide only that subject's personal information (All other personal information must be masked); or

- A person who does not fall under any of the above, provide only the non-personal information (Mask ALL personal information).

Faxed Requests for Information

A *Request for Texas Motor Vehicle Information*, **Form VTR-275**, is accepted by fax to assist certain callers with a title or registration related concern. The acceptance of a fax request is limited to a subject of the record, law enforcement offices, governmental agencies, and other jurisdictions. A copy of the requester's photo identification is required to be submitted with a faxed *Request for Texas Motor Vehicle Information*, **Form VTR-275**.

Acceptance of faxed requests for information submitted to a county tax office is at the discretion of that office.

Title and Registration Transactions

When a title or registration transaction is processed and a receipt is issued, personal information concerning the owner and/or lienholder is released or disclosed. Consider who is filing or submitting the transaction and whether they are already in possession of the personal information that is disclosed on the title or registration receipt.

Caution should be taken when processing such a transaction that is presented by someone other than the “subject” of record. Keep in mind that, in many cases when a third party applicant (someone other than the owner or lienholder) presents a title application or registration renewal notice, that person is already in possession of the personal information that will be printed on the receipt. In this situation, when the receipt is issued, personal information is not actually disclosed. This would apply to situations such as a dealer title transaction and registration or title transactions processed by a title service or lending institution.

If someone other than the owner requests to register a vehicle and does not present the registration renewal notice or previous year's registration receipt, authorization from the owner to register the vehicle must be required prior to issuing the registration and subsequent receipt, that discloses the owner's personal information. Such authorization could include a completed Power of Attorney, **Form VTR-271** or **VTR-271-A**, or a written statement from the owner(s) authorizing issuance of the registration.

Microfilm Documents/Title Histories

To protect the personal information of all previous owners of a motor vehicle, microfilm documents and title histories are available only to persons that certify the information is used for a required or permitted use. This also applies to requests from law enforcement, county tax offices, other jurisdictions, etc.

A *Request for Texas Motor Vehicle Information*, **Form VTR-275**, certifying the required or permitted use should be submitted with each request for microfilm documents, except those requests made by court orders or subpoenas.

Court Order/Subpoena

The department complies with subpoenas or court orders requiring the department to provide copies of microfilm documents. *A Request for Texas Motor Vehicle Information*, **Form VTR-275** is not required.

Written Responses to Inquiries or Correspondence

Do not disclose personal information (i.e. in the address, body of the letter, or cc's) when sending correspondence relating to title or registration records, if the letter is being sent to someone other than a subject of the record. Sending a “bc” (blind copy) to an owner or lienholder when the correspondence is addressed to a third party will prevent the release of restricted personal information.

Written Responses to Inquiries or Correspondence

Do not disclose personal information (i.e. in the address, body of the letter, or cc's), if the letter is being sent to someone other than a subject of the record. Sending a “bc” (blind copy) to an owner or lienholder eliminates release of the restricted personal information.

Requests from Law Enforcement Agencies

Many law enforcement agencies have access to motor vehicle records through the Texas Law Enforcement Telecommunications System (TLETS). However, if a law enforcement agency requests information directly through the department or county office, and not through TLETS, they must submit a *A Request for Texas Motor Vehicle Information*, **Form VTR-275** or county-generated equivalent. A law enforcement officer requesting personal information for a law enforcement purpose may provide their badge number and name of the department or agency instead of their driver's license number when completing a **Form VTR-275** or county-generated equivalent.

4.13 In Summary

- The wording of the statement on page one of the *Request for Texas Motor Vehicle Information,* **Form VTR-275** specifies that no other Acts (such as Public Information or Open Records) supersede the Driver’s Privacy Protection Act.
- The Permitted Use section on page two of the **Form VTR-275** states that customers must handwrite their initials in the listed reasons for the release of information.
- The authorization option “Use for any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.”

DPPA protected personal information includes the following:

- Name and address of vehicle owner,
- Name and address of previous owner,
- Name and address of lienholder,
- License plate number,
- Disabled placard numbers, and
- Temporary permit numbers.

To ensure the privacy of vehicle records the following procedures must be followed at all times.

Phone/E-mail/Written Requests

The department does not verify, confirm, or release personal information via telephone, e-mail, or correspondence without obtaining and verifying all of the following:

- A current government issue photo identification such as:

  - A driver license or state identification certificate issued by a state or territory of the United States,
  - A United States or foreign passport,
  - A United States military identification card, or
  - A United States Department of Homeland Security or United States Citizenship and Immigration Services identification document.
- A completed *Request for Texas Motor Vehicle Information*, **Form VTR-275**, and
- The applicable fee.

Counties that do not have their own DPPA forms may use **Form VTR-275**.

Counties may continue to support law enforcement inquiries, if you are able to verify their identity. It is recommended that requests for vehicle owner information be routed to a supervisor for approval or referred to the department. In the absence of a **Form VTR-275**, counties should document (e.g. log name of officer, badge number, date of call/contact and information requested, etc.) for their own protection in case questions arise.

Chapter 5

EMISSIONS

This chapter contains the following sections:

- ***5.1*** Motor Vehicle Emissions Inspection and Maintenance Requirements
- ***5.2*** Texas Emissions Reduction Plan Surcharge
- ***5.3*** County Emissions Chart

5.1 Motor Vehicle Emissions Inspection and Maintenance Requirements

Transportation Code, Sec. 502.047. Motor Vehicle Emissions Inspection and Maintenance Requirements. **[2 Versions: Effective Until March 1, 2015]**

(a) The Department of Public Safety shall ensure compliance with the motor vehicle emissions inspection and maintenance program through a vehicle inspection sticker-based enforcement system except as provided by this section or Section 548.3011. Subsections (b)-(e) apply only if the United States Environmental Protection Agency determines that the state has not demonstrated, as required by 40 C.F.R. Section 51.361, that sticker-based enforcement of the program is more effective than registration-based enforcement and gives the Texas Commission on Environmental Quality or the governor written notification that the reregistration-based enforcement of the program, as described by those subsections, will be required. If Subsections (b)-(e) are made applicable as provided by this subsection, the department shall terminate reregistration-based enforcement of the program under those subsections on the date the United States Environmental Protection Agency gives the Texas Commission on Environmental Quality or a person the commission designates written notification that reregistration-based enforcement is not required for the state implementation plan.

(b) A motor vehicle may not be registered if the department receives from the Texas Commission on Environmental Quality or the Department of Public Safety notification that the registered owner of the vehicle has not complied with Subchapter F, Chapter 548.

(c) A motor vehicle may not be registered if the vehicle was denied registration under Subsection (b) unless verification is received that the registered vehicle owner is in compliance with Subchapter F, Chapter 548.

(d) The department, the Texas Commission on Environmental Quality, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.

(e) A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with Subchapter F, Chapter 548.

Transportation Code, Sec. 502.047. Motor Vehicle Emissions Inspection and Maintenance Requirements. **[2 Versions: Effective March 1, 2015]**

(a) The department and the Department of Public Safety shall ensure compliance with the motor vehicle inspection requirements under Chapter 548, including compliance with the motor vehicle emissions inspection and maintenance program under Subchapter F of that chapter, through a vehicle registration-based enforcement system.

(b) A motor vehicle may not be registered if the department receives from the Texas Commission on Environmental Quality or the Department of Public Safety notification that the registered owner of the vehicle has not complied with Chapter 548.

(c) A motor vehicle may not be registered if the vehicle was denied registration under Subsection (b) unless verification is received that the registered vehicle owner is in compliance with Chapter 548.

(d) The department and the Texas Department of Public Safety shall enter into an agreement regarding the timely submission by the Department of Public Safety of inspection compliance information to the department

(d-1) The department, the Texas Commission of Environmental Quality, and the Department of Public Safety shall enter an agreement regarding the responsibilities for costs associated with implementing this section.

(e) A county tax assessor-collector is not liable to any person for refusing to register a motor vehicle because of the person's failure to provide verification of the person's compliance with Chapter 548.

Vehicles Subject To Program

The inspection and maintenance (I/M) program applies to any gasoline-powered motor vehicle that:

- requires registration in and primarily operated in affected counties, and
- is two to 24 years old.

The program also applies to:

- a vehicle with United States governmental plates primarily operated in affected counties,
- a vehicle operated on a federal facility in affected counties, and
- a vehicle primarily operated in affected counties that is exempt from motor vehicle registration requirements or is eligible under Transportation Code, Sec. 502.451. Exempt Vehicles., to display an ‘exempt’ license plate.

Failing Vehicles

If a vehicle fails to comply with the vehicle emissions and I/M program, the Texas Commission on Environmental Quality (TCEQ) informs the department of the failure and a notation is placed on the vehicle record. The remark will display “TCEQ-EMISSIONS PGRM NON-COMPLIANCE.” Contact the TCEQ at 1-888-295-0141 for questions regarding this notation or for compliance verification.

The tax assessor-collector may not issue registration or renew registration to any vehicle with which this notation appears, unless the owner provides one of the following:

- Vehicle Inspection Report (VIR) showing the vehicle passes emissions testing,
- Texas Department of Public Safety (DPS) waiver/affidavit indicating the vehicle is in compliance,
- A verification of compliance with the I/M program by accessing vehicle inspection record through www.mytxcar.com, or
- A valid inspection sticker number acquired by contacting the TCEQ.

Once the tax assessor-collector verifies that the vehicle is in compliance, they issue registration or renewal, and the notation is automatically removed from the vehicle record.

If the notation "DPS-EMISSIONS PGRM NON-COMPLIANCE" is on the vehicle record, the vehicle fails program compliance. Contact the DPS at 1-800-316-9394 for questions regarding this notation.

The tax assessor-collector, as a prerequisite to issuing registration or renewal, must verify that the vehicle subsequently passed the emissions testing.

- Verification consists of a form issued by the DPS, signed by a certified vehicle inspector, that the vehicle passes its emissions inspection. The form should have the date the vehicle passed the vehicle emissions inspection, as well as the vehicle identification number and description of the vehicle.
- If the registered owner of a vehicle presents a certificate issued by the DPS that issues a waiver to the vehicle, the tax assessor-collector may issue registration, or renewal for that vehicle.

If a vehicle registered in a county adjacent to an affected county is operating and exceeding acceptable emissions limitations in an affected county, DPS will provide a notice to the registered owner of the vehicle.

- The notice explains how the owner must proceed to obtain and pass an emissions inspection.
- If the registered owner of the vehicle fails to comply, a notation is placed on the vehicle record and renewal of the vehicle is denied until proof that the vehicle passed an emissions inspection is submitted.

If the owner of a vehicle that failed emissions compliance relocates to a non-affected county, the owner must submit a Texas Department of Public Safety Affidavit (VIE-12) to the county at the time of renewal.

Vehicles Not Subject to the Program

The program does not apply to a:

- motorcycle, military tactical vehicle, diesel-powered vehicle, dual-fueled vehicle that cannot operate using gasoline, and antique vehicles.
- slow-moving vehicle, defined by Transportation Code, 547.001, as:
  - a motor vehicle designed to operate at a maximum speed of 25 MPH or less, or
  - implement of husbandry, or machinery, including road construction machinery, towed by an animal.

5.2 Texas Emissions Reduction Plan Surcharge

Transportation Code, Sec. 502.358. Texas Emissions Reduction Plan Surcharge.

(a) In addition to the registration fees charged under Section 502.255, a surcharge is imposed on the registration of a truck-tractor or commercial motor vehicle under that section in an amount equal to 10 percent of the total fees due for the registration of the truck-tractor or commercial motor vehicle under that section.

(b) The county tax assessor-collector shall remit the surcharge collected under this section to the comptroller at the time and in the manner prescribed by the comptroller for deposit in the Texas emissions reduction plan fund.

(c) This section expires August 31, 2019.

Fees

Collect the 10% registration fee emissions surcharge on truck-tractors and commercial motor vehicles that are subject to the combination fees.

- The 10% registration fee emissions surcharge includes Combination, NAFTA Annual Permits, Seasonal Agriculture, Apportioned, and Forestry registrations that are subject to the combination fee chart.
- The 10% emissions surcharge also applies to additional weight applications, apportioned exchanges and transfers.

The 10% registration fee emissions surcharge does **not** apply to a truck displaying truck license plates.

5.3 County Emissions Chart

Table 5-1 lists pertinent county emissions information.

Table 5-1 Emissions Counties Chart

	Emissions County In Which Title Application Is Filed	Primary Evidence Surrendered	Title Fee	Tax	Characteristics Of The Vehicle All Counties	Emissions Surcharge All Counties
TEXAS TITLE APPLICATION	Bastrop, Bexar, Brazoria, Caldwell, Chambers, Collin, Comal, Dallas, Denton, Ellis, El Paso, Fort Bend, Galveston, Gregg, Guadalupe, Hardin, Harris, Harrison, Hays, Henderson, Hood, Hunt, Jefferson, Johnson, Kaufman, Liberty, Montgomery, Nueces, Orange, Parker, Rockwall, Rusk, San Patricio, Smith, Tarrant, Travis, Upshur, Victoria, Waller, Williamson, Wilson and Wise.	• Texas Title –all • MCO • Out-of-state Title • Texas Salvage Certificate – All • Out-of-state Salvage Cert - All • Foreign Evidence • Court Order • Registration Purposes Only • Title Hearing • Heirship Form • Form 97 • Gov't Bill Of Sale • An auction Sales Receipt • Storage Lien • Mechanic's Lien • Military Registration • Bonded Title • Repossession • Other	$33	Yes - 6.25%	Diesel Over 14,000 lbs. GVW 1996 And Older Diesel Over 14,000 lbs. GVW 1997 And Newer	2.5% Of The Sales Price 1% Of The Sales Price
	All Other Counties In The State	All As Listed Above	$28	Yes		
	New Resident All Counties	Out-of-state Title		$90 use tax		

Note: Under the Tax Code, Sec. 152.0215, diesel-powered motor homes and RVs are exempt from the Texas Emissions Reduction Plan Sales Tax Surcharge, if the vehicle weighs over 14,000 lbs. and is not used commercially or for the production of income.

Chapter 6

EXEMPT LICENSE PLATES

This chapter contains the following sections:

- ***6.1*** General Provisions
- ***6.2*** Application for Standard Exempt License Plates
- ***6.3*** Regular Exempt License Plates
- ***6.4*** Alias Law Enforcement Vehicles

6.1 General Provisions

Transportation Code, Sec. 502.451. Exempt Vehicles.

(a) Before license plates are issued or delivered to the owner of a vehicle that is exempt by law from payment of registration fees, the department must approve the application for registration. The department may not approve an application if there is the appearance that:

(1) the vehicle was transferred to the owner or purported owner:

(A) for the sole purpose of evading the payment of registration fees; or

(B) in bad faith; or

(2) the vehicle is not being used in accordance with the exemption requirements.

(b) The department shall revoke the registration of a vehicle issued license plates under this section and may recall the plates if the vehicle is no longer:

(1) owned and operated by the person whose ownership of the vehicle qualified the vehicle for the exemption; or

(2) used in accordance with the exemption requirements.

(c) The department shall provide by rule for the issuance of specially designated license plates for vehicles that are exempt by law. Except as provided by Subsection (f), the license plates must bear the word "exempt."

(d) A license plate under Subsection (c) is not issued annually, but remains on the vehicle until:

(1) the registration is revoked as provided by Subsection (b); or

(2) the plate is lost, stolen, or mutilated.

(e) A person who operates on a public highway a vehicle after the registration has been revoked is liable for the penalties for failing to register a vehicle.

(f) The department shall provide by rule for the issuance of regularly designed license plates not bearing the word "exempt" for a vehicle that is exempt by law and that is:

(1) a law enforcement vehicle, if the agency certifies to the department that the vehicle will be dedicated to law enforcement activities;

(2) a vehicle exempt from inscription requirements under a rule adopted as provided by Section 721.003; or

(3) a vehicle exempt from inscription requirements under an order or ordinance adopted by a governing body of a municipality or commissioners court of a county as provided by Section 721.005, if the applicant presents a copy of the order or ordinance.

Transportation Code, Sec. 502.452. Limitation on Issuance of Exempt License Plates; Seizure of Certain Vehicles.

(a) The department may not issue exempt license plates for a vehicle owned by the United States, this state, or a political subdivision of this state unless when application is made for registration of the vehicle, the person who under Section 502.453 has authority to certify to the department that the vehicle qualifies for registration under that section also certifies in writing to the department that there is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size, the name of the agency, department, bureau, board, commission, or officer of the United States, this state, or the political subdivision of this state that has custody of the vehicle. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet.

(b) The department may not issue exempt license plates for a vehicle owned by a person other than the United States, this state, or a political subdivision of this state unless, when application is made for registration of the vehicle, the person who under Section 502.453 has authority to certify to the department that the vehicle qualifies for registration under that section also certifies in writing to the department that the name of the owner of the vehicle is printed on the vehicle in the manner prescribed by Subsection (a).

(c) A peace office listed in Article 2.12, Code of Criminal Procedure, may seize a motor vehicle displaying exempt license plates if the vehicle is:

(1) operated on a public highway; and

(2) not identified in the manner prescribed by Subsection (a) or (b), unless the vehicle is covered by Subsection (f).

(d) A peace officer who seizes a motor vehicle under Subsection (c) may require that the vehicle be:

(1) moved to the nearest place of safety off the main-traveled part of the highway; or

(2) removed and placed in the nearest vehicle storage facility designated or maintained by the law enforcement agency that employs the peace officer.

(e) To obtain the release of the vehicle, in addition to any other requirement of law, the owner of a vehicle seized under Subsection (c) must:

(1) remedy the defect by identifying the vehicle as required by Subsection (a) or (b); or

(2) agree in writing with the law enforcement agency to provide evidence to that agency, before the 10th day after the date the vehicle is released, that the defect has been remedied by identifying the vehicle as required by Subsection (a) or (b).

(f) Subsections (a) and (b) do not apply to a vehicle to which Section 502.451(f) applies.

(g) For purposes of this section, an exempt license plate is a license plate issued by the department that is plainly marked with the word "exempt."

Transportation Code, Sec. 502.453. Government-Owned Vehicles; Public School Buses; Fire-Fighting Vehicles; County Marine Law Enforcement Vehicles.

(a) The owner of a motor vehicle, trailer, or semitrailer may annually apply for registration under Section 502.451 and is exempt from the payment of a registration fee under this chapter if the vehicle is:

(1) owned by and used exclusively in the service of:

(A) the United States;

(B) this state; or

(C) a county, municipality, or school district in this state;

(2) owned by a commercial transportation company and used exclusively to provide public school transportation services to a school district under Section 34.008, Education Code;

(3) designed and used exclusively for fire fighting;

(4) owned by a volunteer fire department and used exclusively in the conduct of department business;

(5) privately owned and used by a volunteer exclusively in county marine law enforcement activities, including rescue operations, under the direction of the sheriff's department; or

(6) used by law enforcement under an alias for covert criminal investigations.

(b) An application for registration under this section must be made by a person having the authority to certify that the vehicle meets the exemption requirements prescribed by Subsection (a). An application for registration under this section of a fire-fighting vehicle described by Subsection (a)(3) must include a reasonable description of the vehicle and of any fire-fighting equipment mounted on the vehicle. An application for registration under this section of a vehicle described by Subsection (a)(5) must include a statement signed by a person having the authority to act for a sheriff's department that the vehicle is used exclusively in marine law enforcement activities under the direction of the sheriff's department.

Transportation Code, Sec. 502.456. Emergency Services Vehicles.

(a) A vehicle may be registered without payment if:

(1) the vehicle is owned or leased by an emergency medical services provider that:

(A) is a nonprofit entity; or

(B) is created and operated by:

(i) a county;

(ii) a municipality; or

(iii) any combination of counties and municipalities through a contract, joint agreement, or other method provided by Chapter 791, Government Code, or other law authorizing counties and municipalities to provide joint programs; and

(2) the vehicle:

(A) is authorized under an emergency medical services provider license issued by the Department of State Health Services under Chapter 773, Health and Safety Code, and is used exclusively as an emergency medical services vehicle; or

(B) is an emergency medical services chief or supervisor vehicle and is used exclusively as an emergency services vehicle.

(b) A vehicle may be registered without payment of a registration fee if the vehicle:

(1) is owned by the Civil Air Patrol, Texas Wing; and

(2) is used exclusively as an emergency services vehicle by members of the Civil Air Patrol, Texas Wing.

(c) An application for registration under Subsection (a) must be accompanied by a copy of the license issued by the Department of State Health Services. An application for registration of an emergency medical services vehicle must include a statement signed by an officer of the emergency medical services provider that the vehicle is used exclusively as an emergency response vehicle and qualifies for registration under this section. An application for registration of an emergency medical services chief or supervisor vehicle must include a statement signed by an officer of the emergency medical services provider stating that the vehicle qualifies for registration under this section.

(d) An application for registration under Subsection (b) must include a statement signed by an officer of the Civil Air Patrol, Texas Wing, that the vehicle is used exclusively as an emergency services vehicle by members of the Civil Air Patrol, Texas Wing.

(e) The department must approve an application for registration under this section as provided by Section 502.451.

The department is the only agency authorized by law to determine who is eligible for the issuance of Exempt license plates. A list of qualifying agencies is available in the system; if the applying exempt agency is not on the list, contact the Specialty Plates Section at (512) 374-5010 Option 1 or e-mail at Specialtyplates@txdmv.gov.

The county issues two types of exempt registration, standard exempt and regular exempt. Standard exempt license plates have the word “EXEMPT” printed on the license plate. Regular exempt license plates are general issue license plates.

Standard Exempt License Plates

Standard exempt plates are issued on a permanent basis to vehicles owned by agencies of the United States, the State of Texas, counties, cities or other state political subdivisions. As these plates age, the reflective properties diminish, decreasing the legibility and safety provided by the plate, and potentially increasing liability in the event of an accident. Due to the reflectivity diminishing, a replacement year identifier is placed on the exempt license plates. This identifier corresponds to seven years from the year when the exempt license plates were manufactured. This also serves as a reminder to exempt agencies that the exempt plates need to be replaced.

In addition, Exempt plates may be issued to vehicles:

- owned by commercial transportation companies used exclusively to provide public school transportation,
- designed and used exclusively for fire fighting,
- owned by volunteer fire departments and used exclusively in the conduct of their business,
- privately owned and used by a volunteer exclusively in county marine law enforcement activities under the direction of the county sheriff's department,
- leased or loaned to exempt agencies, and
- new vehicles on loan to a school district or any other subdivision of state government used only in approved driver education courses.

Note: This does not include privately owned universities.

Under Transportation Code, Sec. 502.452, vehicles that qualify for standard exempt plates must be owned by the United States, State of Texas, counties, cities, or political subdivisions of this state must have printed words on each side of the vehicle:

- in letters that are at least 2 inches in height, or
- in an emblem that is at least 100 square inches in size, the name of the agency that has custody of the vehicle. Such letters or emblem must be clearly legible from a distance of 100 feet. Buses and other vehicles leased or contracted from a commercial transportation company to an exempt agency must bear the agency's inscription if the vehicles are displaying Exempt license plates. The inscription requirement is inclusive of trailers owned or operated by exempt agencies and displaying Exempt license plates.

If the applicant is exempt from the inscription requirements under Transportation Code, Sec. 721.003, the applicant must present a certification that each vehicle listed on the application is exempt from inscription requirements under Sec. 721.003. The applicant must also provide a citation to the rule that exempts the vehicle.

A peace officer may seize a motor vehicle displaying Exempt license plates for operating on a public highway and not identified in the manner prescribed.

The license plates remain with the vehicle for the period of time that the vehicle is owned and operated by the exempt agency. All vehicle types may qualify for the issuance of Exempt license plates.

If the vehicle is sold, junked, or salvaged the exempt license plates must be removed from the vehicle and surrendered to the department or the county that issued the plates.

Exempt plates are not transferable.

6.2 Application for Standard Exempt License Plates

An exempt agency must submit to the county tax office an *Application for Standard Exempt License Plates*, **Form VTR-62-A**.

- The application must be signed by an authorized agent of the exempt agency.
- Up to 10 vehicles may be listed on the application.
- The **Form VTR-62-A** and the proper evidence of ownership (if vehicle is not currently titled in the name of the exempt agency) should be completed and submitted to the local county tax assessor.
- County personnel should maintain and submit the title transactions with the appropriate system batch report. The exempt applications (VTR-62-A) are placed in a separate envelope labeled “VDM” and placed on top of the title batches sent to the department.

Political Subdivision

Applications submitted by a political subdivision must reflect the statute number under which the subdivision was created by the Texas Legislature. Examples of such subdivisions would include:

- Flood Control Districts,
- Water Control and Improvement Districts,
- Navigation Districts, and
- Rural and Urban Transit Districts.

The statute number is not required for federal, state, county, city, and/or school districts.

U.S. Government Vehicles

Motor vehicles owned by the Federal Government are not titled by the State of Texas. In order to issue exempt plates to a government vehicle it would be necessary to process through the system as Registration Purposes Only.

It is very uncommon for any agency of the United States Government to make application for Texas Exempt license plates although it does occur. United States Government vehicles normally display government license plates or registration numbers. Those vehicles displaying registration numbers in lieu of metal license plates must be readily identifiable as United States Government vehicles. The vehicles have the registration numbers painted on the rear and both sides of the vehicle.

Privately owned motor vehicles used to transport as an agent of the United States Postal Service do not qualify for Exempt license plates. In the event a person, firm, or corporation leases a motor vehicle to the United States Government, no certificate of title or registration is issued. The vehicle may display government license plates or registration numbers in lieu of Texas registration. If a certificate of title is requested, the vehicle becomes subject to registration.

Commercial Transportation Company - School Bus

School buses owned by commercial transportation companies (buses titled in the company name) and used exclusively to provide public school transportation services to a school district may apply for Exempt license plates. A representative of the school district completes an *Application for Standard Exempt License Plates*, **Form VTR-62-A**. A representative of the commercial transportation company completes *The Public School Transportation Services Verification*, **Form VTR-62-BUS**. Both the Forms **VTR-62-A** and **VTR-62-BUS** must be submitted to the county tax office for approval and issuance of Exempt license plates.

Fire Fighting Vehicles

Privately owned fire fighting vehicles and vehicles owned by volunteer fire departments may qualify for Exempt license plates. Vehicles owned by volunteer fire departments do not have to be designed exclusively for fire fighting in order to qualify for exempt plates, provided the vehicles are titled in the name of the volunteer fire department and used exclusively in the conduct of business of that department. Privately owned fire fighting vehicles must be designed and used exclusively for fire fighting in order to qualify for exempt plates. Privately owned fire fighting vehicles require proof of insurance.

The *Application for Exempt Registration of a Fire Fighting Vehicle Owned Privately or by a Volunteer Fire Department*, **Form VTR-62-F** must be completed and submitted to the county tax office.

A photograph of the privately owned fire fighting vehicle must be attached to the **Form VTR-62-F** to verify that the vehicle is designed for fighting fires. A privately owned vehicle must be permanently outfitted with fire fighting equipment, such as water supply tank, booster pump, ladders, hoses, smoke ejector, emergency lighting, etc. An ambulance or other vehicle which does not have permanently mounted fire equipment would not qualify for Exempt license plates, unless it is owned by a volunteer fire department.

A privately owned fire fighting vehicle or a vehicle owned by a volunteer fire department is exempt from registration fees but is not exempt from certificate of title fees.

If a privately owned fire fighting vehicle or a vehicle owned by a volunteer fire department is currently titled in that agency's name in Texas, the **Form VTR-62-F** is submitted to the county tax office for approval. If, however, the vehicle is not currently titled, an application for title together with the **Form VTR-62-F** must be submitted to the county tax office.

State agencies, incorporated cities, and counties owning fire fighting vehicles should complete the **Form VTR-62-A** as a prerequisite to the issuance of Exempt license plates.

Marine Law Enforcement

Privately owned vehicles used exclusively by county sheriff's departments in marine law enforcement activities, including rescue operations, may qualify for Exempt license plates. The **Form VTR-62-A** supported by an affidavit signed by a person acting under the authority of the county sheriff's department stating the use of the vehicle exclusively in marine law enforcement activities must be submitted to the county tax office.

Machinery Type Vehicles

Any qualified exempt agency possessing unconventional machinery-type vehicles that operate upon the highways must make application and secure Exempt license plates. Machinery vehicles are not titled. *The Application for Exempt License Plates*, **Form VTR-62-A**, may be submitted to the county tax office without any supporting evidence, with the following exception:

Farm-type tractors owned by exempt agencies must be titled and registered. Either the motor or serial number of unconventional machinery is used on the application for Exempt license plates. If the machinery has no motor or serial number, obtain an assigned vehicle identification number from a TxDMV Regional Service Center by completing the *Application for Assigned or Reassigned Number*, **Form VTR-68-A**.

Emergency Medical Services (EMS)

Standard exempt license plates may be issued to EMS vehicles operated by:

- Nonprofit entities, and
- City, county, or any combination of cities and counties through a contract or joint agreement.

Such vehicles must be used exclusively as EMS vehicles and these EMS providers must be licensed by the Texas Department of Health and Human Services.

Application for Exempt Registration of an Emergency Medical Services Vehicle **VTR-62-EMS** and a copy of the vehicle registration receipt must be submitted to the county tax assessor.

- An ambulance is not required to be titled in the name of the nonprofit volunteer ambulance company. The law requires that the vehicle be operated and used exclusively by a nonprofit, volunteer ambulance company. If the vehicle is leased the application must be accompanied by the lease agreement.
- A nonprofit, volunteer ambulance company is exempt from payment of the registration fee but is not exempt from payment of the title fee.

In those instances when ownership is in a name other than the non-profit, volunteer ambulance company, the Exempt Registration Receipt must record the name of owner and the notation “Registered by (Nonprofit, Volunteer Ambulance Company).” This allows anyone making an inquiry to know who has possession and control of the vehicle since it is in operation by someone other than the recorded owner.

Civil Air Patrol

Vehicles owned by the Civil Air Patrol, Texas Wing may be issued Standard Exempt license plates, provided such vehicles operate exclusively as emergency services vehicles by members of that organization.

The application for *Standard Exempt License Plates*, **Form VTR-62-A** along with proper evidence of ownership (if vehicle not currently titled to Civil Air Patrol) must be submitted to the county tax office.

The Civil Air Patrol, Texas Wing is exempt from payment of the registration fee but is not exempt from payment of the title fee.

Leased Vehicles

Vehicles leased to exempt agencies or loaned to school districts or political subdivisions are also issued Standard Exempt license plates. In such instances, an authorized agent of the exempt agency should complete the **Form VTR-62-A**. In addition to the **Form VTR-62-A**, the other requirements are as follows:

- For vehicles leased by an exempt agency, the *Leased Vehicle Affidavit*, **Form VTR-62-L** must be completed and signed by authorized agents of both the lessee (exempt agency) and lessor (owner of vehicle).
- Title fees are due when the title is applied for in the lessor's/owner's name and the vehicle is being leased/loaned to an exempt agency.

Driver Education

If a vehicle is loaned to a school district for the purpose of providing driver education for students attending school or conducting driver education courses by a political subdivision of this state, the *Exempt Vehicle Affidavit - Driver Education*, **Form VTR-62-E** must be completed and signed by authorized agents of both the school district or political subdivision and the donating dealer. In the event the vehicle is used by a school for purposes other than driver education, amend the **Form VTR-62-E** by striking out the words “to furnish driver education for students attending said school or a school in said district or any subdivision of state government conducting driver education courses approved by the Central Education Agency” and inserting “for the school's use of the vehicle, such as ‘in vocational agriculture,” etc.

Vehicles on loan to school district or political subdivisions used only in driver education courses are exempt from the Certificate of Title Act by Transportation Code, Sec. 502.453. All other leased or loaned vehicles must be titled in the name of the legal owner or a title must be applied for at the time of issuance of the exempt plates.

Abandoned/Seized Vehicles

The Texas Litter Abatement Act allows unclaimed abandoned motor vehicles to be used “for police purposes.” A peace officer may obtain Exempt license plates for the vehicle by submitting a completed *Auction Sales Receipt*, **Form VTR-71-1**, along with the application for title and the *Application for Standard Exempt License Plate*s, **Form VTR-62-A**. The blank space below Item 5 on the **Form VTR-71-1** (name and address of the purchaser) should show “No sale” for use by law enforcement.

Exempt license plates may also be issued to vehicles that have been seized by law enforcement under the authority of state or federal law. Application for Exempt plates must be accompanied by the court order awarding ownership to the exempt agency. See the Title Manual for more information regarding seized and forfeited vehicles.

Replacements

If standard exempt license plates are lost, stolen, or mutilated, the exempt agency must apply for replacement license plates through the county tax office. The exempt agency should submit a completed *Application for Standard Exempt License Plates*, **Form VTR-62-A** and any remaining license plate.

Weight

Even though exempt agencies are not charged a registration fee, the correct weights must be entered in the system. If the weight is not shown on the MCO or out-of-state title, a weight certificate is required.

When an application for exempt registration is submitted for a bus, and only the gross weight is shown on the evidence of ownership, the empty weight can be calculated using the following formula:

- determine the carrying capacity by the number of seats multiplied by 150 lbs., and
- subtract the carrying capacity from the gross weight to determine the empty weight (Gross weight - carrying capacity = empty weight).

Note: Exempt agencies must provide the same documentation required of any title applicant, unless not required by law (i.e., insurance).

6.3 Regular Exempt License Plates

General issue license plates may be issued as exempt registration for vehicles owned or controlled by exempt agencies that are not required to display an identification inscription on their vehicles by authority of Transportation Code Chap. 721. The exempt agency must submit an *Affidavit for Regular License Plates, Used on Exempt Vehicles*, **Form VTR-119**, to the county tax office.

Exempt state agencies that qualify for the general issue plate are:

- Texas Commission on Fire Protection,
- Texas State Board of Pharmacy,
- Texas Department of State Health Services and Department of Aging and Disability Services,
- Texas Department of Public Safety,
- Texas Department of Criminal Justice,
- Board of Pardons and Paroles,
- Texas Parks and Wildlife Department,
- Railroad Commission of Texas,
- Texas Alcoholic Beverage Commission,
- Texas Department of Banking,
- Department of Savings and Mortgage Lending,
- Texas Juvenile Probation Commission,
- Texas Commission on Environmental Quality,
- Texas Youth Commission,
- Texas Lottery Commission,
- Office of the Attorney General,
- Texas Department of Insurance, and
- Agencies that receive an appropriation under an article of the General Appropriations Act that appropriates money to the legislature.

Other agencies that may qualify for the regular exempt plates include:

- City Police Department,
- County Sheriff Department,
- County Constable,
- Criminal District Attorney Office,
- County District Attorney,
- County Fire Marshall,
- Medical Examiner's Office,
- City Code Enforcement Officer designated to enforce environmental criminal laws, and
- Juvenile Probation Department vehicles used to transport children.

If any of these vehicles are owned by a city, the city council resolution must accompany the *Affidavit for Regular License Plates Used on Exempt Vehicles*, **Form VTR-119**. If owned by a county, the commissioner's court order must support the applications. The name of the exempt agency and the name of the person designated to apply for regular license plates for use on exempt vehicles must be stated in either the City Council resolution or the Commissioners Court Order.

6.4 Alias Law Enforcement Vehicles

On receipt of a written request approved by the executive administrator of a law enforcement agency, the department may issue exempt license plates for a vehicle and register the vehicle under an alias for the law enforcement agency's use in covert criminal investigations.

Any questions concerning the policy/procedures relating to the issuance of alias registration should be directed to the Vehicle Titles and Registration Division's Vehicle Data Management Section.

Chapter 7

FARM VEHICLES

This chapter contains the following sections:

- ***7.1*** Vehicle Transporting Seasonal Agricultural Products
- ***7.2*** Seasonal Agricultural Vehicle Offense
- ***7.3*** Commercial Farm Motor Vehicle
- ***7.4*** Commercial Motor Vehicles Used on the Farm Offense
- ***7.5*** Transports and Fertilizer Spreaders
- ***7.6*** Farm Vehicles Excess Weight
- ***7.7*** Farm Vehicles
- ***7.8*** Cotton Vehicles

7.1 Vehicle Transporting Seasonal Agricultural Products

Transportation Code, Sec. 502.432. Vehicle Transporting Seasonal Agricultural Products

(a) The department shall provide for a monthly registration period for a truck-tractor or a commercial motor vehicle:

(1) that is used exclusively to transport a seasonal agricultural product;

(2) that would otherwise be registered for a vehicle registration year; and

(3) for which the owner can show proof of payment of the heavy vehicle use tax or exemption.

(b) The department shall prescribe a registration receipt that is valid until the expiration of the designated registration period.

(c) The registration fee for a registration under this section is computed at a rate of one-twelfth the annual registration fee under Section 502.253, 502.255, or 502.433, as applicable, multiplied by the number of months in the registration period specified in the application for the registration, which may not be less than one month or longer than six months.

(d) For purposes of this section, "to transport a seasonal agricultural product" includes any transportation activity necessary for the production, harvest, or delivery of an agricultural product that is produced seasonally.

7.2 Seasonal Agricultural Vehicle Offense

Transportation Code, Sec. 502.479. Seasonal Agricultural Vehicle: Offense.

A person issued a registration under Section 502.432 commits an offense if the person, during the registration period, uses the truck-tractor or commercial motor vehicle for a purpose other than to transport a seasonal agricultural product.

Seasonal Agricultural Registration

A truck-tractor or commercial motor vehicle used exclusively to transport a seasonal agricultural product may not be registered for a period of less than one month or longer than six months. The phrase, "to transport a seasonal agricultural product," includes any transportation activity necessary for the production, harvest, or delivery of an agricultural product produced seasonally.

Vehicle Plate Requirements

A vehicle registered under this section displays the standard Truck, Farm Truck, or Farm Truck-tractor license plates. Vehicles that have a gross vehicle weight in excess of 10,000 lbs. that pulls a semi-trailer with a weight in excess of 6,000 lbs. shall be issued a Seasonal Permit license plate.

An applicant for registration under this section must complete *Application for Seasonal Agricultural Registration*, **Form VTR-626**.

The owner must register a vehicle with Seasonal Agricultural registration in the county of residence.

The county should retain the original *Application for Seasonal Agricultural Registration*, **Form VTR-626** until the expiration of the "Seasonal Agricultural registration" or for as long as deemed administratively valuable. A copy of the application may be given to the applicant if requested.

Seasonal Agricultural Registration Vehicle Types

Seasonal Agricultural registration may be purchased for a truck, farm truck, farm truck-tractor, or combination vehicles only. Seasonal Agricultural registration may not be issued for a trailer or passenger vehicle. Seasonal Agricultural registration permits are not transferable.

- A truck registered with Seasonal Agricultural registration for which "TRUCK" fees were paid (Transportation Code, Sec. 502.252. Fee: Vehicles That Weigh 6,000 Pounds or Less.) may pull the same types of trailers that a truck displaying "TRUCK" license plates is eligible to pull (such vehicles may not pull a semitrailer displaying a "TOKEN TRAILER" license plate).
- A truck-tractor registered with Seasonal Agricultural registration for which Combination fees were paid (Transportation Code, Sec. 502.255. Truck-Tractor or Commercial Motor Vehicle Combination Fee; Semitrailer Token Fee.) may pull the same types of trailers that a truck-tractor displaying a "COMBINATION" license plate is eligible to pull.

Note: Combination is the only vehicle classification that will be issued Seasonal Permit license plates.

Vehicle Registration Fees

The fee for registration under this section is calculated by one-twelfth the annual registration fee for the applicable vehicle, multiplied by the number of months (one to six months).

Example County Procedure

The month of expiration is based on the number of months' registration requested.

1. The current month is included in the calculation.

   Example 1: If an applicant requests six months' registration in the month of March, then the expiration month is August.

   Example 2: If an applicant requests one month of registration in the month of June, then the expiration month is June (the same month).

   Example 3: If an applicant requests three months' registration in the month of November, then the expiration month is January (of the following year).
2. Registration fees are collected in whole-month increments.
3. Optional local fees, such as County Road and Bridge and Child Safety Fund fees are collected each time Seasonal Agricultural registration is issued.
4. The $1 Automation Fee and the $1 Insurance Fee (Reg fee-DPS) is collected.
5. Do **not** collect the Young Farmer Loan Guarantee fee in conjunction with the issuance of Seasonal Agricultural registration for trucks and combination motor vehicles.
6. Collect the Young Farmer Loan Guarantee fee in conjunction with the issuance of Seasonal Agricultural registration for farm trucks and farm truck-tractors.

Note: The owner or operator of a truck-tractor or a commercial motor vehicle used exclusively to transport seasonal agricultural products is required to provide proof of the Federal Heavy Vehicle Use Tax (HVUT) payment or exemption for vehicles 55,000 lbs. or more.

Seasonal Agriculture Expiration

The registration expires on the last day of the month indicated on the registration sticker. There is no 5-day grace period for expired registration for vehicles registered with Seasonal Agricultural registration.

Seasonal Agriculture Replacements

If the registration sticker and/or Seasonal Permit license plate for a vehicle registered with Seasonal Agricultural registration is lost, stolen, or mutilated; issue a replacement for the standard replacement fee of $6 plus $1 Automation Fee.

Exchanging Seasonal Registration

The county tax office may exchange Seasonal Agricultural registration for Truck, Farm Truck, Farm Truck-Tractor, or Combination registration, whichever is applicable for a period of 12 months.

Encourage customers to complete exchanges at renewal time only. However, if an exchange involving Seasonal Agricultural registration occurs, process through the RTS Exchange Event.

No refund will be authorized for any registration fees that may be remaining from the exchange.

Any previously issued registration sticker that is still valid must be surrendered to the tax office at the time of the exchange.

Seasonal Agricultural Registration Requirements

A vehicle must be titled in Texas to be eligible for Seasonal Agricultural registration. A Registration Purposes Only receipt satisfies this requirement. Refer to the Title Manual and Transportation Code, Sec. 501.029 for further information regarding Registration Purposes Only applications.

Proof of liability insurance must be provided at the time Seasonal Agricultural registration is issued or renewed.

Seasonal Agricultural registration may be renewed for another registration period. To renew, the applicant must complete a new *Application for Seasonal Agricultural Registration,* **Form VTR-626** and pay the required fees. During the Seasonal Agricultural registration period, vehicles can only transport seasonal agricultural products.

7.3 Commercial Farm Motor Vehicle

Transportation Code, Sec. 502.433 Fee: Commercial Farm Motor Vehicle.

(a) The registration fee for a commercial motor vehicle as a farm vehicle is 50 percent of the applicable fee under Section 502.252 or 502.253, as applicable, if the vehicle's owner will use the vehicle for commercial purposes only to transport:

(1) the person's own poultry, dairy, livestock, livestock products, timber in its natural state, or farm products to market or another place for sale or processing;

(2) laborers from their place of residence to the owner's farm or ranch; or

(3) without charge, materials, tools, equipment, or supplies from the place of purchase or storage to the owner's farm or ranch exclusively for the owner's use or for use on the farm or ranch.

(4) for the purpose of participating in equine activities or attending livestock shows, as defined by Section 87.001, Civil Practice and Remedies Code.

(a-1) A commercial motor vehicle may not be registered under this section unless the vehicle’s owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection.

(b) A commercial motor vehicle may be registered under this section despite its use for transporting without charge the owner or a member of the owner's family:

(1) to attend church or school;

(2) to visit a doctor for medical treatment or supplies;

(3) for other necessities of the home or family; or

(4) for the purpose of participating in equine activities or attending livestock shows, as defined by Section 87.001, Civil Practice and Remedies Code.

(c) Subsection (b) does not permit the use of a vehicle registered under this section in connection with gainful employment other than farming or ranching.

(d) The department shall provide distinguishing license plates for a vehicle registered under this section.

7.4 Commercial Motor Vehicles Used on the Farm Offense

Transportation Code, Sec. 502.478 Commercial Motor Vehicle Used Primarily for Agricultural Purposes: Offense.

(a) The owner of a commercial motor vehicle registered under Section 502.433 commits an offense if the person uses or permits the use of the vehicle for a purpose other than one allowed under Section 502.433. Each use or permission of use in violation of this section is a separate offense.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than $25 or more than $200.

Farm Truck and Farm Truck-Tractor Registration

Farm Trucks and Farm Truck-Tractors can be registered at 50% of the annual registration fee only if the vehicle is used or operated by the owner for transporting:

- the owner's own poultry, dairy, livestock, livestock products, or timber in its natural state;
- farm products to market or to other points for sale or processing;
- laborers from their place of residence; and
- materials, tools, equipment, and supplies without charge from the place of purchase or storage to the owner's own farm or ranch.

Vehicles registered with Farm Truck license plates may be used as a means of passenger transportation by the owner or member of his family to:

- attend church or school,
- visit doctors for medical treatment or supplies,
- for other necessities of the home or family, and
- participate in equine activities or attend livestock shows.

The fact that an owner lives on a farm or ranch does not entitle the owner to register a vehicle with farm license plates. The use of the vehicle governs the eligibility of the vehicle to display farm registration.

Counties **may** issue Farm Truck license plates to:

- Any individual, business, firm, company, or corporation provided they qualify as stipulated in this section.
- Persons in the business of cutting trees in logging or timber operations provided the timber is owned by the applicant and such timber is in its natural state.

Counties should **not** issue Farm Truck license plates to:

- Farmers' Cooperatives;

- Passenger vehicles, unless reconstructed for delivery purposes;
- Vehicles transporting livestock to a show or rodeo when such stock is not being transported for the purpose of sale; and
- Any vehicle used for gainful employment or for hire, including transportation to and from a place of employment.

Applicants for Farm license plates for Farm Truck, or Farm Truck Tractors must present a current Texas Agricultural or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts. The permit must be current, legible, contain a registration number, and be in the name of the person or DBA (doing business as) in which the vehicle is or will be registered. A copy of the state comptroller's permit is not required to be submitted with the application or retained for county records. Proof of the Texas Agricultural or Timber Exemption Registration Number may consist of:

- the permit issued by the Comptroller,
- a copy of the permit issued by the Comptroller, or
- verification through the Comptroller's website.

Note: The number is also required at time of renewal (walk-in only until programming can be accomplished) of Farm license plates.

Owner's Responsibilities

Vehicles currently registered with farm license plates may not be loaned to anyone, including another farmer or rancher, for transporting any commodity.

An employee of a farm or ranch may not register a personally owned commercial motor vehicle with Farm Truck license plates for use in conjunction with employment.

Out-of-State Vehicles

Out-of-state registered farm vehicles may operate in Texas with the same privileges offered Texas farmers, provided the operation is an **interstate** movement.

For **intrastate** movement, a 72-Hour or 144-Hour permit must be obtained.

Oversize or overweight vehicles require special permits from the Motor Carrier Division.

Farm Truck and Farm Truck-Tractor License Plates Restrictions

Since Farm Truck and Farm Truck-Tractor license plates are restricted in use, the law provides that the owner of the vehicle must agree to use the license plate in accordance with the restrictions.

The completion of the *Application for Farm Trailer/Semitrailer, Farm Truck, or Farm Truck-Tractor License Plates*, **Form VTR-52-A** is a prerequisite to the issuance of farm license plates. The **VTR-52-A** is only required when farm plates are initially issued or transferred to an owner.

- A copy of the **Form VTR-52-A** must be submitted with the application for title. The county should retain the original copy in the tax assessor-collector's office.
- A new form is not required when renewing the vehicle.

- If a farmer leases a truck or truck-tractor, the farmer is considered the owner for registration purposes and must complete the **VTR-52-A**. The registration receipt will indicate the name of both the lessee and the lessor.
- Must provide a valid Texas Agricultural or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts for initial issuance of farm plates, as well as at time of renewal.

Farm Trailers with Living Quarters

Trailers with living quarters primary used to haul livestock and not used primarily for human habitation qualify for a Trailer or Farm Trailer license plate (if operated in accordance with 502.433).

Registration

Farm Truck and Farm Truck-Tractor license plates are issued on a staggered basis. Registration begins on the first day of the month in which the applicant applies and is valid for 12 months. Farm trucks that also pull semi-trailers must be registered with Farm Truck-Tractor license plates. Each unit in the combination must be registered separately for its own weight. For example, to register a truck-tractor at the maximum weight register the truck-tractor at 46,000 lbs, and the semi-trailer at 34,000 lbs.

For maximum axle weights allowed by law, see Transportation Code, Sec. 621.101. Maximum Weight of Vehicle or Combination.

Table 7-1 Farm Trailer Registration

Farm Truck-tractor	Semi trailer (Registration Options)
Use total axle weights of truck-tractor to determine gross weight.	• Farm trailers with a gross weight of 4,000 lbs. or less. No plate required. • Farm trailers with a gross weight of more than 4,000 lbs. but less than 34,000 lbs. Farm Trailer license plate required. • Farm trailers with a gross weight of more than 34,000 lbs. Regular trailer plates required. No reduction in fee.

A truck-tractor registered with Farm Truck-Tractor license plates may not tow a semi-trailer displaying Token Trailer license plates.

Farm plates may be transferred if the purchaser is a farmer and completes a **Form VTR-52-A**.

Farm plates must be exchanged if the new owner does not qualify.

Farm Vehicle Violations

If any commercial motor vehicle is apprehended while operating in violation of this Section, the owner of the vehicle must surrender the farm license plates and receipt to the county tax assessor-collector. The owner must pay commercial registration fees from the date of apprehension for the remaining portion of the registration year, plus a penalty equal to 20% of the registration fee.

7.5 Transports and Fertilizer Spreaders

Transportation Code, Sec. 502.431. Fee: Motor Vehicle Used Exclusively to Transport and Spread Fertilizer.

The fee for a registration year for registration of a motor vehicle designed or modified and used exclusively to transport to the field and spread fertilizer, including agricultural limestone, is $75.

Fertilizer Truck License Plates

Fertilizer Truck license plates are annual plates, issued for the established registration period of April 1 through March 31.

One Fertilizer Truck license plate is issued, and it is displayed on the front of the vehicle.

The Fertilizer truck license fee is prorated on a monthly basis with fees collected as of the date of application for the balance of the registration period. For example, if an application is made during the month of January, three months of registration would be collected. (January, February, March)

Eligibility

The vehicle must be titled in the applicant's name or an application filed at the time of issuance. Proof of insurance must be submitted.

The *Application for Fertilizer Truck License Plate*, **Form VTR-52-F** must be completed by the applicant prior to the issuance of the Fertilizer plate.

The vehicle must be self-propelled, designed or adapted to transport and spread plant food materials or agricultural chemicals in the field, whether the vehicle is a conventional or unconventional vehicle.

Exchanges

Credit is allowed for the unexpired portion of a fertilizer truck license fee when being exchanged for a different classification of registration.

7.6 Farm Vehicles Excess Weight

Transportation Code, Sec. 502.434. Farm Vehicles: Excess Weight.

(a) The owner of a registered commercial motor vehicle, truck-tractor, trailer, or semitrailer may obtain a short-term permit to haul loads of a weight more than that for which the vehicle is registered by paying an additional fee before the additional weight is hauled to transport:

(1) the person's own seasonal agricultural products to market or another point for sale or processing;

(2) seasonal laborers from their place of residence to a farm or ranch; or

(3) materials, tools, equipment, or supplies, without charge, from the place of purchase or storage to a farm or ranch exclusively for use on the farm or ranch.

(a-1) A permit may not be issued under this section unless the vehicle's owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection. This subsection does not apply to a permit issued to a retail dealer of tools or equipment that is transporting the tools or equipment from the place of purchase or storage to the customer's farm or ranch.

(b) A permit may not be issued under this section for a period that is less than one month or that:

(1) is greater than one year; or

(2) extends beyond the expiration of the registration year for the vehicle.

(c) A permit issued under this section for a quarter must be for a calendar quarter.

(d) The fee for a permit under this section is a percentage of the difference between the registration fee otherwise prescribed by this chapter for the vehicle and the annual fee for the desired weight, as follows:

One month (30 consecutive days)	*10 percent*
One quarter	*30 percent*
Two quarters	*60 percent*
Three quarters	*90 percent*

(e) The department shall design, prescribe, and furnish a sticker, plate, or other means of indicating the additional weight and the registration period for each vehicle registered under this section.

Temporary Additional Weight Permits

Temporary additional weight permit may be purchased for vehicles transporting seasonal agricultural products in the county where the owner resides.

Temporary additional weight permits are issued on a monthly basis (a period of 30 consecutive days); or in calendar quarters, the first quarter beginning on April l of each year.

- When issuing the permits on a monthly basis, the county issues only one monthly (30 consecutive days) permit at a time. Do not postdate these permits or issue them in a chain-like fashion. However, there are no limitations as to the number of times an owner may return to purchase a permit.

- If a temporary additional weight permit is needed for longer than 30 days, the county issues the permit on a quarterly basis. A permit issued for a fraction of a quarter requires the payment of a full quarter.

The additional fee is a percentage of the difference between the current registration fee for the present gross weight and the current registration fee for the desired gross weight. Calculate the additional fee according to Table 7-2**:**

Table 7-2 Additional Fees

One month (30 consecutive days)	10 percent
One quarter (3 consecutive months)	30 percent
Two quarters (6 consecutive months)	60 percent
Three quarters (9 consecutive months)	90 percent

Temporary Additional Weight Permit Example

The owner wants to register a truck for 18,000 lbs. On July 15th, the owner decides to increase the gross weight to 24,000 lbs. for one month. Therefore, issue the additional weight permit for a period of 30 days, extending from July 15 through August 13 of the following month. Calculate fees as shown in Table 7-3:

Table 7-3 Temporary Additional Weight

Annual fee for 24,000 lbs.	$205.00
Annual fee for 18,000 lbs.	-110.00
Difference in annual fees	=$95.00
10% of difference for one month	x 10%
Total fee due	$9.50

Note: If the owner of a semitrailer with a gross weight of 4,000 lbs. or less (non-title) applies for a temporary additional weight permit above 4,000 lbs., the owner is not required to file an application for title. This temporary registration is in the nature of a permit, and the vehicle returns to its previous status (non-title) when the period ends.

Registration Number

Applicants for excess weight permits for Farm Trailers/Semitrailers, or farm vehicles must present a current Texas Agricultural or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts. The permit must be current, legible, contain a registration number, and be in the name of the person or DBA (doing business as) in which the vehicle is or will be registered. A copy of the state comptroller's permit is not required to be submitted with the application or retained for county records. Proof of the Texas Agricultural or Timber Exemption Registration Number may consist of:

- the permit issued by the Comptroller,

- a copy of the permit issued by the Comptroller, or
- verification through the Comptroller's website.

7.7 Farm Vehicles

Transportation Code, Sec. 502.146. Certain Farm Vehicles and Drilling and Construction Equipment.

(a) The department shall issue specialty license plates to a vehicle described by Subsection (b) or (c). The fee for the license plates is $5 and shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1035] An owner is not required to register a vehicle that is used only temporarily on the highways if the vehicle is:

(1) a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used exclusively:

(A) to transport seasonally harvested agricultural products or livestock from the place of production to the place of processing, market, or storage; or

(B) to transport farm supplies from the place of loading to the farm;

(C) for the purpose of participating in equine activities or attending livestock shows, as defined by Section 87.001, Civil Practice and Remedies Code;

(2) machinery used exclusively for the purpose of drilling water wells; or

(3) construction machinery that is not designed to transport persons or property on a public highway.

(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1296] An owner is not required to register a vehicle that is used only temporarily on the highways if the vehicle is:

(1) a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used exclusively to transport:

(A) seasonally harvested agricultural products or livestock from the place of production to the place of processing, market, or storage; or

(B) farm supplies from the place of loading to the farm;

(2) machinery used exclusively for the purpose of drilling water wells; or

(3) oil well servicing or drilling machinery and if at the time of obtaining the license plates, the applicant submits proof that the applicant has a permit under Section 623.142; or

(4) construction machinery.

(c) An owner is not required to register a vehicle that is:

(1) a farm trailer or farm semitrailer owned by a cotton gin and used exclusively to transport agricultural products without charge from the place of production to the place of processing, market, or storage;

(2) a trailer used exclusively to transport fertilizer without charge from a place of supply or storage to a farm; or

(3) a trailer used exclusively to transport cottonseed without charge from a place of supply or storage to a farm or place of processing.

(d) A vehicle described by Subsection (b) is exempt from the inspection requirements of Subchapters B and F, Chapter 548.

(e) This section does not apply to a farm trailer or farm semitrailer that:

(1) is used for hire;

(2) has metal tires operating in contact with the highway;

(3) is not equipped with an adequate hitch pinned or locked so that it will remain securely engaged to the towing vehicle while in motion; or

(4) is not operated and equipped in compliance with all other law.

(f) A vehicle to which this section applies that is operated on a public highway in violation of this section is considered to be operated while unregistered and is immediately subject to the applicable registration fees and penalties prescribed by this chapter.

(g) In this section, the gross weight of a trailer or semitrailer is the combined weight of the vehicle and the load carried on the highway.

(h) A specialty license plate may not be issued under Subsection (a) to an owner of a vehicle described by Subsection (b)(1) unless the vehicle's owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection.

Operating Temporarily on a Highway

A farm tractor operated or moved temporarily upon the highways is exempt from title and registration. However, they may apply for title and register their farm tractor as a "road tractor."

A farm trailer or farm semitrailer with a gross weight not exceeding 4,000 lbs. is exempt from title and registration when operated temporarily on the highway. Owners of a trailer 4,000 lbs. or less do have the option to title a trailer with a valid VIN.

Implements of husbandry operated or moved temporarily upon the highways are exempt from title and registration.

Implements of Husbandry

The term “Implement of husbandry,” as defined in Transportation Code, Sec. 541.201, means a vehicle, other than a passenger car or truck, that is designed and adapted for use as a farm implement, machinery, or tool for tilling the soil.

Implement of husbandry operated or moved temporarily upon the highways are exempt from title and registration.

- Transportation Code, Sec. 545.361(d), limits the speed of a motor vehicle designed or adapted for applying plant food materials or agricultural chemicals to 30 miles-per-hour unless the vehicle has current registration. Any motor vehicle designed or adapted for spreading fertilizer operated at speeds greater than 30 miles per hour on the public highways no longer retains its exemption as an implement of husbandry and must be registered as a Fertilizer Truck. The annual registration fee is $75.
- Implements of husbandry have no width limitations, provided the vehicle is moved for the purpose of agricultural operations, and provided that such implements move a distance of not more than 50 miles. However, if the implement of husbandry or vehicle is over height, over length, or over weight, a permit is required.

Farm Trailers and Semitrailers

A farmer or a rancher who owns a farm trailer or farm semitrailer may purchase a distinguishing Farm Trailer license plate for a fee of $5 provided the trailer/semitrailer only transports:

- agricultural products,
- livestock,
- farm supplies, or
- participates in equine activities or livestock shows.

Farm trailers and semitrailers with gross weights of 4,000 lbs. or less are not required to be registered and are exempt from Certificate of Title Act. However, farm trailers 4,000 lbs. or less with a valid VIN have the option to apply for title. Farm trailers no longer have a minimum weight requirement and can be issued a Farm plate in the system. Farm trailers and semitrailers with a gross weight not exceeding 34,000 lbs. may qualify for a $5 Farm Trailer license plate in lieu of paying regular registration fees. The exemption does not apply if the vehicle is not being operated within the weight limitation. In accordance with the above statutes, these same exemptions also apply to the following:

- Farm trailers and semitrailers owned by cotton gins and furnished, without charge, to farmers for the transportation of agricultural products from their place of production to their place of process, market or storage.
- Fertilizer trailers, regardless of ownership, used solely to transport fertilizer, without charge, between a place of supply or storage to farms and return.
- Cottonseed trailers, regardless of ownership, used to haul cottonseed, without charge, between a place of supply or storage to farms or place of process and return.

Note: Trailers and semitrailers (including fertilizer and cottonseed trailers) owned by cotton gins may also display the $5 Farm Trailer plate.

- A farmer or rancher that raises show stock that transports such stock for the purpose of sale.
- Participation in equine activities or attending livestock shows, as defined by Sec. 87.001, Civil Practice and Remedies Code.
- Trailers or semitrailers leased or rented to farmers or ranchers, solely for their own use.

Note: Transportation Code, Section 501.036, Title for Farm Semitrailer, is permissive for an owner of a farm semitrailer with a gross weight over 4,000 lbs. to request a Texas Certificate of Title. Section 501.037 allows for any trailer 4,000 lbs. or less to be titled.

Applicants for Farm license plates for Farm Trailers/Semitrailers must present a current Texas Agricultural or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts. The permit must be current, legible, contain a registration number, and be in the name of the person or DBA (doing business as) in which the vehicle is or will be registered. A copy of the state comptroller's permit is not required to be submitted with the application or retained for county records. Proof of the Texas Agricultural or Timber Exemption Registration Number may consist of:

- the permit issued by the Comptroller,
- a copy of the permit issued by the Comptroller, or
- verification through the Comptroller’s website.

Note: The number is also required at time of renewal (walk-in only until programming can be accomplished) of Farm license plates.

The owner must make application for farm license plates on the *Application for Farm Trailer/Semitrailer, Farm Truck, or Farm Truck-tractor License Plates*, **Form VTR-52-A**. The application is made through the county tax assessor-collector of the county in which the applicant resides. The **Form VTR-52-A** is also used when transferring farm trailer plates from one person to an eligible applicant.

- If the applicant has more than one trailer or semitrailer to license with Farm Trailer license plates, list the descriptions of the various trailers on the application instead of submitting a separate application for each such trailer or semitrailer.
- Applications are kept on file in the office of the county tax assessor-collector and should remain open for inspection by enforcement officers.

Farm Trailer license plates are multi-year license plates that are issued on a staggered basis.

If a farm trailer or farm semitrailer is a manufactured trailer then the vehicle identification number as reflected on the vehicle should be indicated on the registration receipt.

It is not necessary for a homemade or shopmade farm trailer or semitrailer to have a vehicle identification number (VIN) in order for Farm Trailer plates to be issued. However, for theft protection purposes, it is suggested that the applicant either apply for an assigned VIN for the trailer/semitrailer or die-stamp an identifying number to the vehicle. If the applicant has obtained a VIN, the **Form VTR-68-N** should be presented as evidence and that number should be indicated on the registration receipt.

If a farm-licensed trailer or semitrailer exceeds the 34,000 pound gross weight limitation at any time during the year for which the distinguishing license plate is valid, the owner must purchase either:

- Standard registration (Token Trailer or Trailer license plate), or
- A 72-Hour Permit.

Note: No credit will be allowed for the surrendered $5 Farm plate.

Apprehensions

If a farm licensed trailer or semitrailer is apprehended with a gross weight in excess of 34,000 lbs., the county tax assessor-collector should:

- Determine that the trailer design accommodates a gross weight in excess of 34,000 lbs. based on the axle configuration.
- Determine if the vehicle is currently titled. If not, either then apply for an RPO title or apply for a negotiable if owner is able to surrender proper evidence of ownership.
- Charge the trailer license fee for that particular trailer's weight classification and collect such fee from the date of apprehension for the remaining portion of the registration year or issue a Token Trailer license plate and collect the appropriate fee. Credit should not be issued for the surrendered Farm Trailer license plate.
- Charge the statutory penalty equal to 20% of the total amount of the prescribed fee.
- Temporary agricultural permits or additional weight permits may not be issued to farm licensed trailers or semitrailers.

Replacement

If a Farm Trailer license plate or registration sticker is lost, stolen, or mutilated, issue a new replacement plate and/or registration sticker for the appropriate fee, provided the owner completes a replacement application (**Form VTR-60**) and surrenders the current year's registration receipt. If an owner cannot surrender the current year's registration receipt, and the plate cannot be verified as farm, do not issue the owner a replacement plate and/or registration sticker. The owner must complete a new application, **Form VTR-52-A**, and reapply for a Farm Trailer license plate.

When renewing a Farm Trailer license plate, the applicant must present the registration renewal notice or previous registration receipt to the county tax assessor-collector with the fee of $5. If the registration renewal notice or current registration receipt is not available and the plate cannot be verified as farm, the applicant must complete a new VTR-52-A, and reapply for a Farm Trailer license plate.

Farm semitrailers with a valid VIN may be titled at the option of the registrant. Upon transfer or sale of a farm semitrailer, if the registrant titles the farm trailer then the title must be transferred to the buyer. If the farm semitrailer is non-titled, then it should be sold with a bill of sale and a copy of the farm trailer registration receipt.

Note: If the buyer is applying for farm registration, it is the buyer's option to title the trailer.

If the buyer qualifies, the farm plates may be retained if the *Application for Farm Trailer, Farm Truck, or Farm Truck-Tractor License Plates*, **Form VTR-52-A** is submitted.

If the buyer does not qualify, the buyer must surrender the Farm Trailer license plate to the county tax assessor-collector and register the trailer with standard registration (Trailer or Token Trailer license plate). They must then apply for a certificate of title with the evidence referenced above. Credit will not be allowed for the surrendered Farm Trailer license plate.

Non-qualifying

Trailers or semitrailers owned by Farmers Co-ops are not eligible for Farm Trailer license plates.

7.8 Cotton Vehicles

Transportation Code, Sec. 504.505. Cotton Vehicles.

(a) The department shall issue specialty license plates for a single motor vehicle that is:

(1) used only to transport chile pepper modules, seed cotton, cotton, cotton burrs, or equipment used in transporting or processing chile peppers or cotton; and

(2) not more than 10 feet in width.

(b) The license plates must include the words "Cotton Vehicle."

(c) There is no fee for issuance of the license plates. The license plates may be renewed without payment of a fee.

Initial Issuance

An *Application for Cotton Vehicle License Plates*, **Form VTR-815** must be submitted to the registrant's county tax office. The deputy should complete the information requested in the space marked "FOR COUNTY USE ONLY." Upon approval, the applicant must:

- pay registration fees,
- pay any local fees, and
- submit valid proof of financial responsibility.

The Cotton Vehicle license plate is an annual plate that expires in March. The plate is validated with a registration sticker and is issued at any time during the year upon receipt of proper application and fee. One Cotton Vehicle license plate is issued per vehicle, and it should be displayed on the front of the vehicle.

The motor vehicle displaying the Cotton Vehicle license plate can operate on any highway provided its width does **not** exceed 10 feet, its length longer than 48 feet, or its height greater than 14 feet, 6 inches, and is used only to transport chili pepper modules, seed cotton, cotton, cotton burrs, or equipment used to transport or process chili pepper modules or cotton.

The overall gross weight of a motor vehicle used to transport seed cotton or equipment used to transport or process seed cotton may not exceed 64,000 lbs.

The overall gross weight of a single motor vehicle used to transport chili pepper modules or equipment used to transport or process chili pepper modules may not exceed 54,000 lbs.

The title must be in the applicant's name, however:

- joint ownership is permissible.
- if the applicant has legal right of possession and control of the vehicle, an affidavit must be completed and attached to the application.
- if the applicant has a leased vehicle, the county should verify the lease agreement.

If the vehicle is currently registered, the applicant must surrender their plates and receipt to the county tax office in exchange for the Cotton Vehicle license plate.

Renewal

At the time of renewal, the owner will pay the registration fee, and local county fees if applicable.

Replacement

If a Cotton Vehicle license plate is lost, stolen, or mutilated the owner may obtain a replacement Cotton Vehicle plate from their local county tax office.

The applicant may submit the *Application for Replacement License Plate(s), License Plate Registration Sticker(s), or Registration Sticker*, **Form VTR-60**, and pay the applicable replacement fee and any additional fees.

Transfer

If a vehicle registered with a Cotton Vehicle license plate is being transferred to a new owner, an application for title must be filed with the local county tax office and if the new owner is eligible the **Form VTR-815**, marked “TRANSFER,” by completing the information requested in the space marked “FOR COUNTY USE ONLY” must be completed..

Chapter 8

ADDITIONAL AND VOLUNTARY FEES

This chapter contains the following sections:

- ***8.1*** Automation Fee
- ***8.2*** Diesel Fee
- ***8.3*** Registration - DPS Fee
- ***8.4*** Delinquent Fees
- ***8.5*** Optional County Road and Bridge Fund Fees
- ***8.6*** Optional County Child Safety Fees
- ***8.7*** Optional County Fee for Transportation Projects
- ***8.8*** Voluntary Assessment for Young Farmer Loan Guarantees
- ***8.9*** Voluntary Fee (Organ Donor) Glenda Dawson Donate Life-Texas Registry
- ***8.10*** Voluntary Donation to Veterans' Assistance Fund
- ***8.11*** Voluntary Donation to Parks and Wildlife Department
- ***8.12*** Disposition of Certain Voluntary Contributions

8.1 Automation Fee

Transportation Code, Sec. 502.356. Automated Registration and Titling System.

(a) In addition to other registration fees for a license plate or set of license plates or other device used as the registration insignia, the board by rule shall adopt a fee of not less than 50 cents and not more than $1. The fee shall be collected and deposited into a subaccount in the Texas Department of Motor Vehicles fund.

(b) The department may use money collected under this section to provide for or enhance the automation of and the necessary infrastructure for:

(1) on-premises and off-premises registration and permitting, including permitting under Subtitle E;

(2) services related to the titling of vehicles; and

(3) licensing and enforcement procedures.

Note: Until the board adopts rules, the current fee of $1 is collected for registrations, replacements, and exchanges in all Texas counties.

8.2 Diesel Fee

Transportation Code, Sec. 502.359. Additional Fee for Certain Vehicles Using Diesel Motor.

(a) The registration fee under this chapter for a motor vehicle other than a passenger car, a truck with a gross vehicle weight of 18,000 pounds or less, or a vehicle registered in combination under Section 502.255 is increased by 11 percent if the vehicle has a diesel motor.

(b) The registration receipt for a motor vehicle, other than a passenger car or a truck with a gross vehicle weight of 18,000 pounds or less, must show that the vehicle has a diesel motor.

(c) The department may adopt rules to administer this section.

The additional 11% diesel motor fee is applicable to all motor vehicles powered by diesel engines except the following:

- Passenger vehicles, private buses, commercial motor vehicles registered with Combination license plates; and
- Commercial motor vehicles having a gross vehicle weight of 18,000 lbs. or less.

8.3 Registration - DPS Fee

Transportation Code, Sec. 502.357. Financial Responsibility Programs.

(a) In addition to other fees imposed for registration of a motor vehicle, at the time of application for registration or renewal of registration of a motor vehicle for which the owner is required to submit evidence of financial responsibility under Section 502.046, the applicant shall pay a fee of $1. In addition to other fees imposed for registration of a motor vehicle, at the time of application for registration of a motor vehicle that is subject to Section 501.0234, the applicant shall pay a fee of $1. Fees collected under this section shall be remitted weekly to the department.

(b) Fees collected under this section shall be deposited to the credit of the state highway fund. Subject to appropriations, the money shall be used by the Department of Public Safety to:

(1) support the Department of Public Safety's reengineering of the driver's license system to provide for the issuance by the Department of Public Safety of a driver's license or personal identification certificate, to include use of image comparison technology.

(2) establish and maintain a system to support the driver responsibility program under Chapter 708; and

(3) make lease payments to the master lease purchase program for the financing of the driver's license reengineering project.

(c) Fees collected under this section shall be deposited to the credit of the state highway fund. Subject to appropriation, the money may be used by the Department of Public Safety, the Texas Department of Insurance, the Department of Information Resources, and the department to carry out Subchapter N, Chapter 601.

(d) The Department of Public Safety, the Texas Department of Insurance, the Department of Information Resources, and the department shall jointly adopt rules and develop forms necessary to administer this section.

8.4 Delinquent Fees

Transportation Code, Sec. 502.045. Delinquent Registration.

(a) A registration fee for a vehicle becomes delinquent immediately if the vehicle is used on a public highway without the fee having been paid in accordance with this chapter.

(b) An applicant for registration who provides evidence to establish good reason for delinquent registration and who complies with the other requirements for registration under this chapter may register the vehicle for a 12-month period that ends on the last day of the 11th month after the month in which the registration occurs under this subsection.

(c) An applicant for registration who is delinquent and has not provided evidence acceptable to establish good reason for delinquent registration but who complies with the other requirements for registration under this chapter shall register the vehicle for a 12-month period without changing the initial month of registration.

(d) A person who has been arrested or received a citation for a violation of Section 502.472 may register the vehicle being operated at the time of the offense for a 12-month period without change to the initial month of registration only if the person:

(1) meets the other requirements for registration under this chapter; and

(2) pays an additional charge equal to 20 percent of the prescribed fee.

(e) The board by rule shall adopt a list of evidentiary items sufficient to establish good reason for delinquent registration under Subsection (b) and provide for the evidence that may be used to establish good reason under that subsection.

(f) The board by rule shall adopt procedures to implement this section in connection with the delinquent registration of a vehicle registered directly with the department or through other means.

All motor vehicles, trailers, or semitrailers that are either unregistered or improperly registered and being operated on the highways of this state are in violation of Texas laws.

If there is a valid reason for the delinquent registration of a vehicle, the vehicle should be registered for a 12-month period, establishing a new registration expiration month, which ends on the last day of the 11th month following the month of registration.

Valid reasons may include:

- a receipt for extensive repairs on the vehicle,
- evidence that the person was out of the country,
- evidence that the vehicle is used only for seasonal use,
- military orders,
- a storage receipt, or
- any other evidence submitted that the tax assessor collector determines is valid.

If there is not a valid reason for the delinquent registration of a vehicle, the vehicle should be registered for a 12-month period without establishing a new registration period.

The operator of a vehicle apprehended for violating (Transportation Code, Sec. 502.472. Operation of Vehicle Under Improper Registration.) is required to register the vehicle for a 12-month period without changing the initial month of registration and is also required to pay a penalty equal to 20% of the registration fee.

8.5 Optional County Road and Bridge Fund Fees

Transportation Code, Sec. 502.401. Optional County Fee for Road and Bridge Fund.

(a) The commissioners court of a county by order may impose an additional fee, not to exceed $10, for registering a vehicle in the county.

(b) A vehicle that may be registered under this chapter without payment of a registration fee may be registered in a county imposing a fee under this section without payment of the additional fee.

(c) A fee imposed under this section may take effect only on January 1 of a year. The county must adopt the order and notify the department not later than September 1 of the year preceding the year in which the fee takes effect.

(d) A fee imposed under this section may be removed. The removal may take effect only on January 1 of a year. A county may remove the fee only by:

(1) rescinding the order imposing the fee; and

(2) notifying the department not later than September 1 of the year preceding the year in which the removal takes effect.

(e) The county assessor-collector of a county imposing a fee under this section shall collect the additional fee for a vehicle when other fees imposed under this chapter are collected.

(f) The department shall collect the additional fee on a vehicle that is owned by a resident of a county imposing a fee under this section that must be registered directly with the department. The department shall send all fees collected for a county under this subsection to the county treasurer to be credited to the county road and bridge fund.

(g) The department shall adopt rules necessary to administer registration for a vehicle being registered in a county imposing a fee under this section.

Optional County Fees

The optional County Road and Bridge fee cannot exceed $10 per statute.

The County Commissioners Court must send formal notification to the department, on or before September 1 of the year preceding the year in which the fee takes effect.

If the County Commissioners Court wants to rescind the original order imposing the fee or wants to change the fee, they must notify the department by September 1 of the year preceding the one in which the fee is rescinded or changed.

The optional fee is collected on any vehicle when the payment of the registration fee is made. However, this fee will not be collected for vehicles displaying certain specialty plates since these license plate categories are statutorily exempt from payment of registration fees and are exempt from collection of the optional fee. The following are some examples:

- Meritorious Service Military Plates (e.g. Legion of Valor*, Bronze Star*, Silver Star*, etc.);
- Recognition Award Military Plates (e.g. Former Prisoner of War*, Pearl Harbor*, Purple Heart* etc.); and
- Other License Plates (e.g. Machinery, Disaster Relief and Permit).

*If an owner has more than one set of these specialty plates, the road and bridge fee will be charged for those additional registrations.

The fee will not be collected when issuing any temporary registration permits.

When collecting the optional County Road and Bridge Fee for a registration issued for 13, 14, or 15 months, only one optional fee should be collected, (the department considers 13, 14, and 15 month registrations as representing a single registration period).

The optional fee is not collected when transferring the specialty category license plates to a currently registered vehicle, regardless of the number of months for which an additional registration fee may be due (one month or 11 months). The optional fee is collected when processing renewals or issuing most specialty license plates to a new vehicle, out-of-state vehicle, or unregistered Texas titled vehicle.

When registering an apprehended vehicle, the County Road and Bridge Fee is collected in addition to the applicable registration fees. The $1.90 commission fee is the only fee that is retained by the county in which the vehicle was apprehended, as long as it is not the county of residence.

The *Registration Renewal Notice*, **VTR-39-A**, includes the optional fees. The County Road and Bridge and Child Safety Fees are combined and are listed as “LOCAL FEES” on the registration receipt.

The department utilizes the county number to print the County Road and Bridge Fee and the county name on registration renewal notices. However, as the result of out-of-county registrations due to apprehensions or new vehicles registered in the county in which the vehicle was purchased or encumbered, the county number may not reflect the registrant's county of residence. Therefore, the clerk will enter the correct county number of residence for the registrant.

If the registrant does not present a registration renewal notice, it is necessary to verify vehicle information in order to issue registration.

A county imposing the optional County Road and Bridge Fee is required to deposit 100% of the fee in the county depository to the credit of the County Road and Bridge Fund.

While the prescribed registration fee for an antique vehicle is based on a five-year rather than a twelve-month registration period, only a single fee is prescribed for the registration period. Therefore, only one County Road and Bridge Fee may be collected upon issuance of the antique registration regardless of the number of years involved.

The optional County Road and Bridge Fee is collected only at the time of initial registration or renewal. The optional fee is not collected on:

- Vehicle transfer (vehicle currently registered),
- Exchange (including specialty license plates when additional registration fees are collected to adjust the expiration date),
- Additional weight (voluntary or apprehended), and
- Replacement.

The 20% apprehension penalty is based on the total registration fees (not the optional fees).

8.6 Optional County Child Safety Fees

Transportation Code, Sec. 502.403. Optional County Fee for Child Safety.

(a) The commissioners court of a county that has a population greater than 1.3 million and in which a municipality with a population of more than one million is primarily located may impose by order an additional fee of not less than 50 cents or more than $1.50 for a vehicle registered in the county. The commissioners court of any other county may impose by order an additional fee of not more than $1.50 for registering a vehicle in the county.

(b) A vehicle that may be registered under this chapter without payment of a registration fee may be registered without payment of the additional fee.

(c) A fee imposed under this section may take effect and be removed in accordance with the provisions of Section 502.401.

(d) The additional fee shall be collected for a vehicle when other fees imposed under this chapter are collected.

(e) A county imposing a fee under this section may deduct for administrative costs an amount of not more than 10 percent of the revenue it receives from the fee. The county may also deduct from the fee revenue an amount proportional to the percentage of county residents who live in unincorporated areas of the county. After making the deductions provided for by this subsection, the county shall send the remainder of the fee revenue to the municipalities in the county according to their population.

(f) A municipality with a population greater than 850,000 shall deposit revenue from a fee imposed under this subsection to the credit of the child safety trust fund created under Section 106.001, Local Government Code. A municipality with a population less than 850,000 shall use revenue from a fee imposed under this section in accordance with Article 102.014(g), Code of Criminal Procedure.

(g) After deducting administrative costs, a county may use revenue from a fee imposed under this section only for a purpose permitted by Article 102.014(g), Code of Criminal Procedure.

8.7 Optional County Fee for Transportation Projects

Transportation Code, Sec. 502.402. Optional County Fee for Transportation Projects.

(a) [2 Versions: As amended by Acts 2013, 83rd Leg., ch. 1273] This section applies only to a county that:

(1) borders the United Mexican States; and

(2) has a population of more than 250,000.

(a) [2 Versions: A amended by Acts 2013, 83rd Leg., ch. 1277] This section applies only to:

(1) a county:

(A) that borders the United Mexican States;

(B) that has a population of more than 300,000; and

(C) in which the largest municipality has a population of less than 300,000; and

(2) a county that has a population of more than 1.5 million that is coterminous with a regional mobility authority.

(b) The commissioners court of a county by order may impose an additional fee for a vehicle registered in the county. Except as provided by Subsection (b-1), the fee may not exceed $10.

(b-1) The commissioners court of a county described by Subsection (a) with a population of less than 700,000 may increase the additional fee to an amount that does not exceed $20 if approved by a majority of the qualified voters of the county voting on the issue at a referendum election, which the commissioners court may order and hold for that purpose.

(c) A vehicle that may be registered under this chapter without payment of a registration fee may be registered under this section without payment of the additional fee.

(d) A fee imposed under this section may take effect and be removed in accordance with the requirement of Section 502.401.

(e) The additional fee shall be collected for a vehicle when other fees imposed under this chapter are collected. The fee revenue collected shall be sent to a regional mobility authority located in the county to fund long-term transportation projects in the county that are consistent with the purposes specified by Section 7-a, Article VIII, Texas Constitution.

(f) The department shall adopt rules necessary to administer registration for a vehicle being registered in a county imposing a fee under this section.

Mobility Fee

Counties eligible to collect the Mobility Fee must:

- border the United Mexican States and have a population of more than 250,000, <u>or</u>

- border the United Mexican States, have a population of more than 300,000, the largest city must have a population less than 300,000, and a county that has a population of more than 1.5 million that is coterminous with a regional mobility authority.

These counties may charge an additional Optional Mobility Fee of up to $10 at the time of vehicle registration. Currently only Bexar, Cameron, El Paso, Hidalgo and Webb counties meet the criteria.

8.8 Voluntary Assessment for Young Farmer Loan Guarantees

Transportation Code, Sec. 502.404. Voluntary Assessment for Young Farmer Loan Guarantees.

(a) When a person registers a commercial motor vehicle under Section 502.443, the person shall pay a voluntary assessment of $5.

(b) The county assessor-collector shall send an assessment collected under this section to the comptroller, at the time and in the manner prescribed by the Texas Agricultural Finance Authority, for deposit in the Texas agricultural fund

(c) The Texas Agricultural Finance Authority shall prescribe procedures under which an assessment collected under this section may be refunded. The county assessor-collector of the county in which an assessment is collected shall:

(1) implement the refund procedures; and

(2) provide notice of those procedures to a person paying an assessment at the time of payment.

Young Farmer Loan Guarantee Program

A “voluntary assessment” in the amount of $5 is collected at the time of registration for motor vehicles registered with Farm Truck and Farm Truck-Tractor license plates. Money from the program is made available to eligible applicants who want to establish or enhance farming or ranching operations or an agriculture-related business.

- The fee is also due when plates are exchanged for Farm Truck and Farm Truck-Tractor license plates. Since this fee is deposited separately and is not considered part of the registration, a fee credit is never given.
- “Young Farmer Program” is reflected on all receipts when the fee is collected. County personnel should provide the registrant with a notice of the refund procedures prescribed by the Texas Agricultural Finance Authority when they pay the fee. The department cannot authorize a refund or a credit for this fee.
- The county tax collector will send the $5 Young Farmer Fee directly to the State Treasurer. Two forms (the *Texas Agricultural Finance Authority Young Farmer Loan Guarantee Program Remittance Advice Form* and the *RTS Monthly Funds Report Young Farmer Program*) must accompany the remittance. The funds remit on or before the 15th day of the month following the last day of the collection month. For example, all fees collected February 1, through February 28, are remitted on or before March 15 to the Texas Agricultural Finance Authority.

8.9 Voluntary Fee (Organ Donor) Glenda Dawson Donate Life-Texas Registry

Transportation Code, Sec. 502.405. Donor Education, Awareness, and Registry Program.

(a) The department shall provide to each county assessor-collector the educational materials for prospective donors provided as required by the Donor Education, Awareness, and Registry Program of Texas under Chapter 49, Health and Safety Code. The educational materials shall be made available in each office authorized to accept applications for registration of motor vehicles.

(b) When a person applies for the registration or renewal of registration of a motor vehicle, the person may elect to contribute $1 to the nonprofit organization administering the Glenda Dawson Donate Life-Texas Registry established under Chapter 692A, Health and Safety Code. The department shall remit any contribution paid under this subsection to the comptroller for deposit to the credit of the Glenda Dawson Donate Life-Texas Registry fund created under Section 692A.020, Health and Safety Code. Money received under this subsection by the organization may be used only to manage the organization's registry, provide donor education, and promote donor awareness. The organization shall submit an annual report to the legislature and the comptroller that includes the total dollar amount of money received by the organization under this subsection. If a person makes a contribution under this section and does not pay the full amount of the registration fee, the department may credit all or a portion of the contribution to the person's registration fee. The department shall:

(1) include space on each motor vehicle registration renewal notice, on the page that states the total fee for registration renewal, that allows a person renewing a registration to voluntarily contribute $1 to the organization;

(2) provide an opportunity for a person to contribute $1 to the organization during the registration renewal process on the department's Internet website; and

(3) provide an opportunity to contribute $1 to the organization in any registration renewal system that succeeds the registration renewal system in place on September 1, 2013.

(c) Three percent of all money collected under this section shall be credited to the Texas Department of Motor Vehicles fund and may be appropriated only to the department to administer this section.

A voluntary fee of $1 benefits the Glenda Dawson Donate Life-Texas Registry.

- The voluntary $1 organ donor fee is collected through the department's systems when registering or renewing registration.
- The department cannot authorize a refund or a credit for this fee.

8.10 Voluntary Donation to Veterans' Assistance Fund

Transportation Code, Sec. 502.1746. Voluntary Contribution to Veterans Assistance Fund.

(a) When a person registers a motor vehicle under this chapter, the person is entitled to make a voluntary contribution in any amount to the fund for veterans' assistance established by Section 434.017, Government Code, as redesignated and amended by Chapter 1418 (H.B. 3107), Acts of the 80th Legislature, Regular Session, 2007.

(b) The county assessor-collector shall send any contribution made under this section to the comptroller for deposit in the state treasury to the credit of the fund for veterans' assistance before the 31st day after the date the contribution is made. A contribution made under this section may be used only for the purposes of the fund for veterans' assistance.

(c) The department shall:

(1) include space on each motor vehicle registration renewal notice, on the page that states the total fee for registration renewal, that allows a person renewing a registration to indicate the amount that the person is voluntarily contributing to the fund for veterans' assistance;

(2) provide an opportunity to contribute to the fund for veterans' assistance similar to the opportunity described by Subsection (a) and in the manner described by Subdivision (1) in any registration renewal system that succeeds the system in place on September 1, 2011; and

(3) provide an opportunity for a person to contribute to the fund for veterans' assistance during the registration renewal process on the department's Internet website.

(d) If a person makes a contribution under this section and does not pay the full amount of a registration fee, the county assessor-collector may credit all or a portion of the contribution to the person's registration fee.

(e) The department shall consult with the Texas Veterans Commission in performing the department's duties under this section.

A voluntary fee for any amount may be submitted to benefit the Veterans Assistance Fund.

- The voluntary fee is collected through the department's systems when registering or renewing registrations.
- The department cannot authorize a refund or a credit for this assessment. Customers wanting a refund should contact the Texas Veterans Commission.

8.11 Voluntary Donation to Parks and Wildlife Department

Transportation Code, Sec. 502.1747. Voluntary Contribution to Parks and Wildlife Department.

(a) When a person registers or renews the registration of a motor vehicle under this chapter, the person may contribute $5 or more to the Parks and Wildlife Department.

(b) The department shall:

(1) include space on each motor vehicle registration renewal notice, on the page that states the total fee for registration renewal, that allows a person renewing a registration to indicate the amount that the person is voluntarily contributing to the state parks account;

(2) provide an opportunity to contribute to the state parks account similar to the opportunity described by Subsection (a) and in the manner described by Subdivision (1) in any registration renewal system that succeeds the system in place on September 1, 2011; and

(3) provide an opportunity for a person to contribute to the state parks account during the registration renewal process on the department's Internet website.

(c) If a person makes a contribution under this section and does not pay the full amount of a registration fee, the county assessor-collector may credit all or a portion of the contribution to the person's registration fee.

(d) The county assessor-collector shall send any contribution made under this section to the comptroller for deposit to the credit of the state parks account under Section 11.035, Parks and Wildlife Code. Money received by the Parks and Wildlife Department under this section may be used only for the operation and maintenance of state parks, historic sites, or natural areas under the jurisdiction of the Parks and Wildlife Department.

(e) The department shall consult with the Parks and Wildlife Department in performing the department's duties under this section.

A voluntary fee may be submitted (minimum amount of $5) to benefit the Parks and Wildlife Department.

- The voluntary fee is collected through the department's systems when registering or renewing registration.
- The department cannot authorize a refund or a credit for this assessment.Customers wanting a refund should contact the Parks and Wildlife Department.

8.12 Disposition of Certain Voluntary Contributions

Transportation Code, Sec. 502.1748. Disposition of Certain Voluntary Contributions.

If a person makes a voluntary contribution under Section 502.1746 or 502.1747 at the time the person registers or renews the registration of a motor vehicle under this chapter but the person does not clearly specify the entity to which the person intends to contribute, the county assessor-collector shall divide the contribution between the entities authorized to receive contributions under those sections.

When customers register or renew their registration in person, by mail, or online, they may donate to the Texas Parks and Wildlife Department and/or the Veterans Assistance Fund by filling in the donation line on the registration renewal notice or by entering a donation amount when renewing online.

When the customer writes in a donation on the registration renewal notice, if they do not clearly specify the entity, the tax assessor-collector will divide the donation between the two entities authorized to receive the contributions. If the customer makes a voluntary donation but does not include sufficient funds to cover the registration fees, the tax assessor-collector will credit all or a portion of the donation to the customer's registration fees.

Customers who register in person, or online, may donate a voluntary fee of $1 to benefit the Glenda Dawson Donate Life-Texas Registry.

Chapter 9

REGISTRATION FEES

This chapter contains the following sections:

- ***9.1*** Passenger Car, Municipal and Private Bus Fees
- ***9.2*** Municipal and Private Buses
- ***9.3*** Trailer or Semitrailer Fees
- ***9.4*** Motorcycle or Moped Fees
- ***9.5*** Mopeds

9.1 Passenger Car, Municipal and Private Bus Fees

Transportation Code, Sec. 502.252. Fee: Vehicles That Weigh 6,000 Pounds or Less.

(a) The fee for a registration year for registration of a vehicle with a gross weight of 6,000 pounds or less is $50.75, unless otherwise provided in this chapter.

Registration Fees

The registration fees for passenger vehicles are based upon the gross vehicle weight.

Use the shipping weight shown on the manufacturer's certificate to determine the weight of new passenger vehicles, add 100 lbs., and figure the fee on the next even 100 lbs. For example, if the manufacturer's certificate of origin shows the shipping weight as 5,415 lbs., the addition of 100 lbs. would result in a total of 5,515 lbs. When rounded off to the next highest 100 lbs., use 5,600 lbs. as the registration weight.

- If there is a question as to the correct weight of a particular vehicle, require the applicant to present a weight certificate from a Public Weigher.
- The weight shown on a weight certificate is acceptable as the registration weight of the vehicle. Do not add any weight to the figure shown on the weight certificate, but round it off to the next highest 100 lbs.
- If the weight of a vehicle is in question and the evidence of ownership for the vehicle is a manufacturer's certificate, do not lower the weight below the weight indicated without a corrected manufacturer's certificate.

Vehicles that Receive the General Issue License Plate

Passenger Vehicle Plate Issuance

Passenger vehicles expire on a staggered basis depending on the month of issuance. New and out-of-state passenger vehicles register from the date of application for a period of at least 12 months, including the month of application.

The renewal month does not change unless:

- the owner has more than one vehicle and requests to change the month to correspond to another vehicle that they own,
- the vehicle is registered late and the owner has a valid reason for not renewing on time, or

- a specialty plate is transferred to the vehicle

Vehicles to be Registered with Passenger License Plates

Passenger license plates are issued to the following type vehicles, which contain living facilities:

- Motor homes,
- Permanently mounted camper units constructed on truck chassis, and
- Reconstructed used trucks and buses converted to Motor Homes.

Truck-tractor conversions that have fully self-contained accommodations for human habitation will be classified as a motor home and registered as a passenger vehicle, provided the vehicle will not be operated for commercial purposes. Such truck-tractors conversions may only pull a recreational vehicle (boat, travel trailer, camper).

When converted truck-tractors are used for hire, or to pull trailers that represent commercial entities (racing vehicle trailer, competition horse trailer, vending trailer, etc.), they are subject to the laws for commercial vehicles, and should be registered with the appropriate license plates.

Optional Passenger Registration

Station wagons, sport utility vehicles, and suburban type vehicles are usually classified by the manufacturers as passenger vehicles. However, some station wagon-type vehicles and windowed vans are classified as “LL-Suburban,” and the registration of such vehicles is optional as passenger vehicle or truck registration classification.

Note: At the time of application for title and registration, it is the owner's responsibility to inform the county that the vehicle will be operated for commercial use. If the vehicle displaying Passenger license plates is stopped by law enforcement for a violation and is operating for hire or for commercial purposes, fines could be imposed, in addition to fees and penalties for improper registration of the vehicle.

Changes in Vehicle Weight

Do not lower the weight of a passenger vehicle unless an application for corrected title is filed. Supporting evidence may include:

- Microfilm records of the manufacturer’s certificate of origin, and
- Microfilm records of the out-of-state title.
  - The weight may be changed if a weight certificate is surrendered or any reference guides (Branham Guide) may be used as the basis of determining the correct weight.
  - This only applies to passenger vehicles and not motor homes, buses, or ambulances. The correction of the weight for these vehicles should be accomplished by the surrender of a weight certificate.

No passenger vehicle or any other motor vehicle with an unladen weight of less than 2,500 lbs. may be joined with more than one other vehicle or towing device at one time. Towing devices are exempt from registration. (Transportation Code, Sec. 621.205.)

9.2 Municipal and Private Buses

Transportation Code, Sec. 504.503. Municipal, Motor, and Private Buses.

The department shall issue without charge specialty license plates for municipal buses, motor buses, and private buses. The license plates must include the words "City Bus," "Motor Bus," or "Private Bus," as appropriate.

City Bus

City Bus license plates are issued to street or suburban buses (city buses) used to transport passengers for compensation or hire exclusively within the limits of cities and towns. City Bus license plates are issued on a staggered basis.

City Bus license plates may be transferred to the new purchaser if they qualify.

Buses owned and operated by exempt agencies that are used to transport passengers for compensation or hire exclusively within the limits of cities and towns are considered exempt from the payment of registration fees and are issued Exempt license plates. Refer to Chapter 6, "Exempt License Plates" for further information.

Private Buses

Registration fees for a private bus are determined by the gross vehicle weight.

Register all privately owned buses with Private Bus license plates. These buses include those owned by charitable, religious, and social organizations, as well as those owned by individuals.

- The "Private Bus" registration classification includes every motor vehicle not operated for compensation or hire, and designed for carrying more than 10 passengers (excluding the driver or operator). Private Bus license plates are multi-year plates issued on a staggered basis.
- This classification applies to all SUV-type vehicles rated by the manufacturers as having seating capacities in excess of 10 persons (excluding the driver or operator), when not used for compensation or hire.
- A weight certificate is required to verify the empty weight on all new and out-of-state privately owned buses and all used buses transferred from exempt agencies if the empty weight is not shown on the title.

9.3 Trailer or Semitrailer Fees

Transportation Code, Sec. 502.254. Fee: Trailer, Travel Trailer, or Semitrailer.

(a) The fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a gross weight of 6,000 pounds or less is $45.00.

(b) The fee for a registration year for registration of a trailer, travel trailer, or semitrailer with a gross weight of more than 6,000 pounds is calculated by gross weight according to Section 502.253.

Eligibility for Trailer, Semitrailer, or Token Trailer License Plates

Trailer Type Definitions

All trailers and semitrailers require registration when operated on the public highways of this state, except farm trailers and farm semitrailers with a gross weight of less than 4,000 lbs. The fees for trailers and semitrailers registered under the provisions of this section are based on the same registration fees depending on the gross weight of the vehicle.

Full trailers are designed or used to carry its load on its own structure and be drawn by a motor vehicle. The tongue is fixed to the front axle and attached to the frame of the trailer by a swivel that pulls and controls the trailer.

- All trailers with a gross weight in excess of 4,000 lbs. must be titled (except farm trailers, that may be titled at the owner's discretion).
- A weight certificate must be included with the application for title for all out-of-state trailers or semitrailers unless the empty is shown on the title being surrendered.

Semitrailers are trailer type vehicles that are designed or used in conjunction with a pulling unit where some part of the trailer weight and load rests upon the pulling unit.

- All semitrailers with a gross weight in excess of 4,000 lbs. must be titled (except farm trailers, which may be titled at the owner's discretion).
- A weight certificate may be needed to verify the empty weight on new trailers and semitrailers, as well as a used trailer/semitrailer transferred from an exempt agency when applying for a Texas title if no empty weight is shown.
- Determine the gross weight of a semitrailer by weighing the semitrailer (fully equipped and “hooked up” to a truck-tractor) at its rear axle assembly with the maximum (heaviest) load carried during the registration year.

Note: Semitrailers may be registered with regular Trailer or Token Trailer license plates.

Note: A weight certificate may be needed to verify the empty weight on new trailers and semitrailers, as well as a used trailer/semitrailer transferred when applying for a Texas title if no empty weight is shown.

Token Trailer license plates are issued to a semitrailer that meets the following conditions:

- Has a gross weight in excess of 6,000 lbs., and
- Used with trucks or truck-tractors registered with Combination, Forestry, Seasonal Permit, or Apportioned license plates with a gross weight in excess of 10,000 lbs. For Combination plated vehicles, the combined gross weight may not be less than 18,000 lbs.

For more information regarding Token Trailers and their correct classifications, refer to Chapter 2, “Commercial Vehicles.”

Issuing Trailer License Plates

Trailer license plates are issued on a staggered basis.

Vehicle Identification Number (VIN)

A VIN is required to title trailers and semitrailers. To title the trailer or semitrailer the owner may apply for an assigned VIN. Small trailers and semitrailers 4,000 lbs. or less are exempt from the Certificate of Title Act and do not require a VIN but the owner has the option to apply for one. Trailers 4,000 lbs. or less do have the option to apply for title and will be required to have a valid VIN from the manufacturer or one assigned by the department. (Refer to the Title Manual for more information regarding assigned VINs.)

Weight

The registration weight of a trailer or semitrailer should be the empty weight of the vehicle plus the heaviest load to be carried during the registration year. In no instance may the carrying capacity fall below the manufacturer's rated carrying capacity. Many trailer manufacturers do not give their trailers or semitrailers a rated carrying capacity. In the absence of a carrying capacity rating by the manufacturer, the minimum carrying capacity of such a trailer or semitrailer shall not be less than one third of the vehicle's empty weight.

A trailer or semitrailer may not legally be operated in Texas with a gross weight in excess of the maximum permissible weight allowed by law.

When currently registered trailers and semitrailers that are exempt from the Certificate of Title Act (Under 4,000 lbs or farm trailers) are sold, a registration receipt and a bill of sale are required.

Token Trailers

In order to obtain a Token Trailer license plate the gross weight of the semitrailer must be 6,000 lbs. or more and used in combination with a truck or truck-tractor with a gross weight in excess of 10,000 lbs. If the Token Trailer is being pulled by a Combination plated vehicle, the combined gross weight may not be less than 18,000 lbs.

The fee for Token Trailer plates is $15. Token Trailers can only be used when pulled by vehicles properly registered with Combination, Apportioned, Forestry Vehicle, or Seasonal Permit license plates, for the combined gross weight of all the vehicles used in combination.

An additional 4,000 lbs. may be carried on the semitrailer in excess of 80,000 lbs. if an additional permit is purchased through the Motor Carrier Division. The Overweight Permit receipt should be carried in the vehicle at all times.

Five-year token trailer plates are issued through the TxDMV Regional Service Center.

See additional information under Truck-Tractor or Semitrailer Token Fees in Chapter 2, “Commercial Vehicles.”

Custom Trailers with Living Quarters

Some custom trailers, i.e., car haulers, horse trailers, etc., have enclosed living quarters. These trailers do not qualify for a Travel Trailer license plate and therefore, should be registered with a trailer license plate (including farm trailers). When registering a custom trailer with living quarters, a trailer license plate should be issued, and the appropriate body style should be selected according to the actual type of trailer, i.e., UT - Utility, HE - Horse, LS - Livestock, etc.

Note: Trailers with living quarters primary used to haul livestock and not used primarily for human habitation are also eligible for “Farm Trailer” license plates if operated in accordance with Sec. 502.433. See Farm Trailers with Living Quarters.

Hybrid Trailers

Travel trailers are now manufactured equipped with a cargo area developed to carry recreational items such as ATVs, personal watercraft, snowmobiles, bikes, etc., in addition to temporary living quarters. The primary purpose for these vehicles is recreation, camping, travel, or seasonal use and not for hauling cargo. As a prerequisite to titling a travel trailer, the applicant must verify the size and use of the trailer by completing a *Travel Trailer or Park Model Trailer Verification*, **Form VTR-141**. The form includes a certification from the owner that the trailer's primary purpose is for personal use only, not for hire, or commercial purposes. These vehicles should be registered with Travel Trailer license plates.

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Travel Trailers

Transportation Code, Sec. 501.002, reads in part, as follows:

(30) "Travel trailer" means a house trailer-type vehicle or a camper trailer:

(A) that is a recreational vehicle defined under 24 C.F.R. Section 3282.8(g); or

(B) that:

(i) is less than eight feet in width or 40 feet in length, exclusive of any hitch installed on the vehicle;

(ii) is designed primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use;

(iii) is not used as a permanent dwelling; and

(iv) is not a utility trailer, enclosed trailer, or other trailer that does not have human habitation as its primary function.

Travel Trailer Fees

Travel Trailer license plates are issued on a staggered basis. The registration fees for travel trailers are based on gross vehicle weight.

Vehicles Eligible for Travel Trailer Plates

All house trailer type vehicles and camper trailer type vehicles that are less than eight body feet in width or less than 40 body feet in length (not including the hitch) or are of the "Park Model" type (400 square feet or less) should be registered and titled as "travel trailers." Before titling a travel trailer, the applicant must verify the size of the trailer by completing a *Travel Trailer or Park Model Trailer Verification*, **Form VTR-141**. The form must be included with the application for title covering new and out-of-state travel trailers.

Gross Weight

Use the gross weight, including all furnishings and equipment, as the basis for determining the registration fee for all house trailer type vehicles. Round off the actual gross weight to the next highest 100 lbs.

For example, register a travel trailer with an actual gross weight of 4,445 lbs. as 4,500 lbs. The 4,500 lbs. registered weight appears on the application for Texas title and registration receipt.

Shipping Weight

Use the shipping weight shown on the manufacturer's certificate to determine the weight of new travel trailers. Add 100 lbs. to the shipping weight listed by the manufacturer and calculate the fee on the next even 100 lbs.

For example, if the manufacturer's certificate shipping weight is 6,415 lbs., the addition of 100 lbs. would result in a total of 6,515 lbs. When rounded off to the next highest 100 lbs., the weight of 6,600 would appear as the registration weight.

Note: "House trailer" means and includes only vehicles that meet the size criteria of a travel trailer.

Establishing Weight

If the shipping weight is not shown on the Manufacturer Certificate of Origin (MCO), the owner should sign a statement listing the length and width of the vehicle. Determine the gross weight by multiplying the length (to the nearest foot) by the width (to the nearest foot) to determine square footage and then multiplying the result by 20 lbs. per square foot.

When processing title transactions on travel trailers the following procedures should be followed:

New or Out-of-State Travel Trailers

- Enter the empty weight or shipping weight that is reflected on the evidence of ownership, i.e., MCO or out-of-state title, as the empty weight.
- Enter a carrying capacity. The carrying capacity can be calculated by subtracting the empty weight from the gross weight (Gross Weight – Empty Weight = Carrying Capacity).
- If the gross weight is not reflected on the MCO or out-of-state title, it can be determined by one of the following methods:
  - a weight certificate, or
  - use the following formula: Length x Width x 20 lbs. = Gross Weight.

Texas Title Transfers

If the gross weight is not shown on the Texas title, the gross weight can be determined by one of the following methods:

- a weight certificate; or
- use the following formula: Length x Width x 20 lbs. = Gross Weight.

Recreational Vehicles

A recreational vehicle is defined under Federal Rule 24 C.F.R. 3282.8(g) as a vehicle, which is:

- built on a single chassis,
- 400 square feet or less when measured at the largest horizontal projections,
- self-propelled or permanently towable by a light duty truck, and
- designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

The Federal definition places some vehicles previously considered mobile homes or manufactured housing into the travel trailer category, since Texas does not have a recreational vehicle category. These are also commonly called “Park Model” by the manufacturing industry, and made in varying widths, but the most popular model is the 12-foot wide model.

Square Footage

U.S. Department of Housing and Urban Development (HUD) recommends that, to calculate the square footage of a home, take measurements on the exterior of the home. The square footage includes all siding, corner trim, molding, storage space, and area enclosed by windows but not the roof overhang.

Park Models

In order to move a “Park Model” trailer that is over of the maximum width or length limitations allowed by law, the applicant must get an oversize permit from the Motor Carrier Division. Place a notation on the title of oversize vehicles requiring a permit in order to move the vehicle.

Camper Trailers

A “camper trailer” is a temporary human habitation that expands or folds out to form a shelter. The top and sides are either permanently attached or detachable from the trailer. The existence of items such as beds, icebox, cooking stove, etc., is immaterial.

All camper trailers, new or used, purchased on and after September 1, 1967, are registered with Travel Trailer license plates; and new owners must apply for a certificate of title.

Utility Trailers

Utility trailers not designed as camper trailers but used to transport property, camping equipment or other items would not fall within the definition of a travel trailer

Manufactured Housing

Manufactured housing that includes mobile homes which are eight body feet or more in width or 40 body feet or more in length (not including the hitch) are not subject to the Registration or Certificate of Title Acts. Manufactured housing falls under the authority of the Department of Housing and Community Affairs.

No registration of any type (including One-Trip Permits, In-transit license plates, or Dealer license plates) is required as a prerequisite to obtaining over width/over length permits for the movement of manufactured housing. Customers must obtain oversize permits from the Motor Carrier Division.

Mobile Office Trailers

Mobile office trailers, mobile oil field laboratories, mobile oil field bunkhouses, and trailer type vehicles used for selling merchandise do not qualify as manufactured housing. As a result, these vehicles are classified as commercial semitrailers and require registration with either Trailer license plates or Temporary 72-Hour or 144-Hour Permits if they are on the public roads.

However, if the trailer and power unit meet the requirements under the combination law, a Token Trailer license plate could also be issued for the trailer. If the body style is designated as mobile office, mobile oil field laboratory, or mobile oil field bunkhouse, the weight shown on the Manufacturer's Certificate of Origin is acceptable as the fixed weight of the vehicle for registration purposes.

If there is no weight value on the Manufacturer's Certificate of Origin, require a weight certificate. The “1/3 minimum carrying capacity” rule does not apply to these vehicles. Photos or brochures are not required except in instances when a mobile home has been altered for use as a mobile office, bunkhouse, or laboratory.

Trucks and truck-tractors

Trucks and truck-tractors, used exclusively for pulling travel trailers are registered with general issue license plates. Converted truck-tractors (with living quarters) have the option to register as motor homes with passenger registration (see above).

9.4 Motorcycle or Moped Fees

Transportation Code, Sec. 502.251. Fee: Motorcycle or Moped.

The fee for registration year for registration of a motorcycle or moped is $30.

New and out-of-state motorcycles or mopeds are registered on a staggered basis for at least 12 consecutive months. Motorbikes, motor scooters, and three-wheeled vehicles that can pass a state safety inspection are classified for registration purposes as motorcycles.

Off-road motorcycles designed and used exclusively as “off-highway” vehicles are not registered; however, they should be titled. If they operate on public land, they should receive an Off Highway Vehicle decal issued by Texas Parks and Wildlife Department.

9.5 Mopeds

A moped is a motor driven cycle with a maximum speed of 30 mph with a motor that produces not more than two-brake horsepower. If an internal combustion engine is used, the maximum piston displacement is 50cc. The power drive system must only have one gear. Moped license plates are available for certified mopeds. The month of expiration is determined by the registration period assigned, which is one year from the date of application.

The Texas Department of Public Safety (DPS) provides a list of vehicles certified as mopeds and vehicles previously classified as motor-assisted bicycles on their web site. A certificate of title is required.

- If the motor is certified, the registration receipt and application for title should show the make as the trade name of the bicycle; or if no trade name, use “Assembled” and the frame number as the vehicle identification number.
- If an acceptable frame number is not available, obtain an assigned vehicle identification number from a Regional Service Center.

Chapter 10

GENERAL PROVISIONS

This chapter contains the following sections:

- ***10.1*** Definitions
- ***10.2*** Rules and Forms
- ***10.3*** Registration by Political Subdivision Prohibited
- ***10.4*** Vehicles Operated on Public Highways Separating Real Property
- ***10.5*** Nonresident Operated Vehicles
- ***10.6*** Design of Registration Insignia
- ***10.7*** Cost of Manufacturing
- ***10.8*** International Registration Plan
- ***10.9*** Disputed Classification of Vehicle
- ***10.10*** Department Responsibilities
- ***10.11*** County Tax Assessor-Collector Operations

10.1 Definitions

Transportation Code, Sec. 502.001. Definitions.

In this chapter:

(1) "All-terrain vehicle" means a motor vehicle that is:

(A) equipped with a seat or seats for the use of:

(i) the rider; and

(ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;

(B) designed to propel itself with three or more tires in contact with the ground;

(C) designed by the manufacturer for off-highway use; and

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 50 inches wide.

(2) "Apportioned license plate" means a license plate issued in lieu of a truck license plate or combination license plate to a motor carrier in this state who proportionally registers a vehicle owned or leased by the carrier in one or more other states.

(3) "Board" means the board of the Texas Department of Motor Vehicles.

(4) "Combination license plate" means a license plate issued for a truck or truck-tractor that is used or intended to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds.

(5) "Combined gross weight" means the empty weight of the truck-tractor or commercial motor vehicle combined with the empty weight of the heaviest semitrailer used or to be used in combination with the truck-tractor or commercial motor vehicle plus the heaviest net load to be carried on the combination during the registration year.

(6) "Commercial fleet" means a group of at least 25 nonapportioned motor vehicles, semitrailers, or trailers owned, operated, or leased by a corporation, limited or general partnership, limited liability company, or other business entity and used for the business purposes of that entity.

(7) "Commercial motor vehicle" means a motor vehicle, other than a motorcycle, designed or used primarily to transport property. The term includes a passenger car reconstructed and used primarily for delivery purposes. The term does not include a passenger car used to deliver the United States mail.

(8) "Construction machinery" means a vehicle that:

(A) is used for construction;

(B) is built from the ground up;

(C) is not mounted or affixed to another vehicle such as a trailer;

(D) was originally and permanently designed as machinery;

(E) was not in any way originally designed to transport persons or property; and

(F) does not carry a load, including fuel.

(9) "Credit card" has the meaning assigned by Section 501.002. See Credit Card.

(10) "Debit card" has the meaning assigned by Section 501.002. See Debit Card.

(11) "Department" means the Texas Department of Motor Vehicles.

(12) "Electric bicycle" has the meaning assigned by Section 541.201. See Electric Bicycle.

(13) "Electric personal assistive mobility device" has the meaning assigned by Section 551.201. See Electric Personal Assistive Mobility Device.

(14) "Empty weight" means the unladen weight of a truck-tractor or commercial motor vehicle and semitrailer combination fully equipped, as certified by a public weigher or license and weight inspector of the Department of Public Safety.

(15) "Farm semitrailer" or "farm trailer" means a vehicle designed and used primarily as a farm vehicle.

(16) "Farm tractor" has the meaning assigned by Section 541.201. See Farm Tractor.

(17) "Forestry vehicle" means a vehicle designed and used exclusively for transporting forest products in their natural state, including logs, debarked logs, untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, and wood shavings, and property used in production of those products.

(18) "Golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.

(19) "Gross vehicle weight" has the meaning assigned by Section 541.401 See Gross Vehicle Weight.

(20) "Implements of husbandry" has the meaning assigned by Section 541.201. See Implement of Husbandry.

(21) "Light truck" has the meaning assigned by Section 541.201. See Light Truck.

(22) "Moped" has the meaning assigned by Section 541.201. See Moped.

(23) "Motor bus" includes every vehicle used to transport persons on the public highways for compensation, other than:

(A) a vehicle operated by muscular power; or

(B) a municipal bus.

(24) ("Motorcycle" has the meaning assigned by Section 521.001 or 541.201, as applicable. See Motorcycle.

(25) "Motor vehicle" means a vehicle that is self-propelled.

(26) ("Motorized mobility device" has the meaning assigned by Section 542.009, See Motorized Mobility Device.

(27) "Municipal bus" includes every vehicle, other than a passenger car, used to transport persons for compensation exclusively within the limits of a municipality or a suburban addition to the municipality.

(28) "Net carrying capacity" means the heaviest net load that is able to be carried on a vehicle, but not less than the manufacturer's rated carrying capacity.

(29) "Oil well servicing, cleanout, or drilling machinery":

(A) has the meaning assigned by Section 623.149; or

(B) means a mobile crane:

(i) that is an unladen, self-propelled vehicle constructed as a machine and used solely to raise, shift, or lower heavy weights by means of a projecting, swinging mast with an engine for power on a chassis permanently constructed or assembled for that purpose; and

(ii) for which the owner has secured a permit from the department under Section 623.142. See Oil Well Servicing.

(30) "Operate temporarily on the highways" means to travel between:

(A) different farms;

(B) a place of supply or storage and a farm; or

(C) an owner's farm and the place at which the owner's farm produce is prepared for market or is marketed.

(31) "Owner" means a person who:

(A) holds the legal title of a vehicle;

(B) has the legal right of possession of a vehicle; or

(C) has the legal right of control of a vehicle.

(32) "Passenger car" has the meaning assigned by Section 541.201. See Passenger Car.

(33) "Power sweeper" means an implement, with or without motive power, designed for the removal by a broom, vacuum, or regenerative air system of debris, dirt, gravel, litter, or sand from asphaltic concrete or cement concrete surfaces, including surfaces of parking lots, roads, streets, highways, and warehouse floors. The term includes a vehicle on which the implement is permanently mounted if the vehicle is used only as a power sweeper.

(34) "Private bus" means a bus that:

(A) is not operated for hire; and

(B) is not a municipal bus or a motor bus.

(35) "Public highway" includes a road, street, way, thoroughfare, or bridge:

(A) that is in this state;

(B) that is for the use of vehicles;

(C) that is not privately owned or controlled; and

(D) over which the state has legislative jurisdiction under its police power.

(36) "Public property" means property owned or leased by this state or a political subdivision of this state.

(37) "Recreational off-highway vehicle" means a motor vehicle that is:

(A) equipped with a seat or seats for the use of:

(i) the rider; and

(ii) a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers;

(B) designed to propel itself with four or more tires in contact with the ground;

(C) designed by the manufacturer for off-highway use by the operator only; and

(D) not designed by the manufacturer primarily for farming or lawn care.

(38) "Road tractor" means a vehicle designed for the purpose of mowing the right-of-way of a public highway or a motor vehicle designed or used for drawing another vehicle or a load and not constructed to carry:

(A) an independent load; or

(B) a part of the weight of the vehicle and load to be drawn.

(39) "Semitrailer" means a vehicle designed or used with a motor vehicle so that part of the weight of the vehicle and its load rests on or is carried by another vehicle.

(39-a) "Shipping Weight" means the weight generally accepted as the empty weight of a vehicle.

(40) "Token trailer" means a semitrailer that:

(A) has a gross weight of more than 6,000 pounds; and

(B) is operated in combination with a truck or a truck-tractor that has been issued:

(i) an apportioned license plate;

(ii) a combination license plate; or

(iii) a forestry vehicle license plate.

(41) "Tow truck" means a motor vehicle adapted or used to tow, winch, or otherwise move another motor vehicle.

(42) "Trailer" means a vehicle that:

(A) is designed or used to carry a load wholly on its own structure; and

(B) is drawn or designed to be drawn by a motor vehicle.

(43) "Travel trailer" has the meaning assigned by Section 501.002. See Travel Trailer.

(44) "Truck-tractor" means a motor vehicle:

(A) designed and used primarily for drawing another vehicle; and

(B) not constructed to carry a load other than a part of the weight of the vehicle and load to be drawn.

(45) "Vehicle" means a device in or by which a person or property is or may be transported or drawn on a public highway, other than a device used exclusively on stationary rails or tracks.

Commercial Motor Vehicle

Transportation Code, Sec. 644.001. Definitions.

In this chapter:

(1) "Commercial motor vehicle" means:

(A) a commercial motor vehicle as defined by 49 C.F.R. Section 390.5, if operated interstate; or

(B) a commercial motor vehicle as defined by Section 548.001, if operated intrastate.

Transportation Code, Sec. 548.001. Definitions.

In this chapter:

(1) "Commercial motor vehicle" means a self-propelled or towed vehicle, other than a farm vehicle with a gross weight, registered weight, or gross weight rating of less than 48,000 pounds, that is used on a public highway to transport passengers or cargo if:

(A) the vehicle, including a school activity bus as defined in Section 541.201, or combination of vehicles has a gross weight, registered weight, or gross weight rating of more than 26,000 pounds;

(B) the vehicle, including a school activity bus as defined in Section 541.201, is designed or used to transport more than 15 passengers, including the driver; or

(C) the vehicle is used to transport hazardous materials in a quantity requiring placarding by a regulation issued under the Hazardous Materials Transportation Act (49 U.S.C. Section 5101 et seq.).

Credit Card

Transportation Code, Sec. 501.002. Definitions.

In this chapter:

(2) "Credit card" means a card, plate, or similar device used to make a purchase or to borrow money.

Debit Card

Transportation Code, Sec. 501.002. Definitions.

In this chapter:

(4) "Debit card" means a card that enables the holder to withdraw money or to have the cost of a purchase charged directly to the holder's bank account.

Electric Bicycle

Transportation Code, Sec. 541.201. Vehicles.

In this chapter:

(24) "Electric bicycle" means a bicycle that:

(A) is designed to be propelled by an electric motor, exclusively or in combination with the application of human power;

(B) cannot attain a speed of more than 20 miles per hour without the application of human power; and

(C) does not exceed a weight of 100 pounds.

Electric Personal Assistive Mobility Device

Transportation Code, Sec. 551.201. Definition.

In this subchapter, "electric personal assistive mobility device" means a two non-tandem wheeled device designed for transporting one person that is:

(1) self-balancing; and

(2) propelled by an electric propulsion system with an average power of 750 watts or one horsepower.

Farm Tractor

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(4) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement to draw an implement of husbandry, including a plow or a mowing machine.

Gross Vehicle Weight

Transportation Code, Sec. 541.401. Miscellaneous Terms.

In this subtitle:

(4) "Gross vehicle weight" means the weight of a vehicle and the weight of its load.

Implement of Husbandry

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(6) "Implement of husbandry" means a vehicle, other than a passenger car or truck, that is designed and adapted for use as a farm implement, machinery, or tool for tilling the soil.

Light Truck

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(7) "Light truck" means a truck, including a pickup truck, panel delivery truck, or carryall truck, that has a manufacturer's rated carrying capacity of 2,000 pounds or less.

Moped

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(8) "Moped" means a motor-driven cycle that cannot attain a speed in one mile of more than 30 miles per hour and the engine of which:

(A) cannot produce more than two-brake horsepower; and

(B) if an internal combustion engine, has a piston displacement of 50 cubic centimeters or less and connects to a power drive system that does not require the operator to shift gears.

Motorcycle

Transportation Code, Sec. 521.001. Definitions.

In this chapter:

(6-a) "Motorcycle" includes an enclosed three-wheeled passenger vehicle that:

(A) is designed to operate with three wheels in contact with the ground;

(B) has a minimum unladen weight of 900 lbs.;

(C) has a single, completely enclosed, occupant compartment;

(D) at a minimum, is equipped with:

(i) seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, 49 C.F.R. Section 571.207;

(ii) a steering wheel used to maneuver the vehicle;

(iii) a propulsion unit located in front of or behind the enclosed occupant compartment;

(iv) a seat belt for each vehicle occupant certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

(v) a windshield and one or more windshield wipers certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49 C.F.R. Section 571.104; and

(vi) a vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216; and

(E) is produced by its manufacturer in a minimum quantity of 300 in any calendar year.

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(9) "Motorcycle" means a motor vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have when propelled not more than three wheels on the ground.

Motorized Mobility Device

Transportation Code, Sec. 542.009. Operators of Certain Mobility Devices.

(a) In this section, "motorized mobility device" means a device designed for transportation of persons with physical disabilities that:

(1) (has three or more wheels;

(2) is propelled by a battery-powered motor;

(3) has not more than one forward gear; and

(4) is not capable of speeds exceeding eight miles per hour.

(b) For the purposes of this subtitle, a person operating a nonmotorized wheelchair or motorized mobility device is considered to be a pedestrian.

Oil Well Servicing

Transportation Code, Sec. 623.149. Determination Whether Vehicle Subject to Registration or Eligible for Distinguishing License Plate.

(c) In this section, "oil well servicing, oil well clean out, or oil well drilling machinery or equipment" means a vehicle constructed as a machine used solely for servicing, cleaning out, or drilling an oil well and consisting in general of a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for one or more of those purposes.

Passenger Car

Transportation Code, Sec. 541.201. Vehicles.

In this subtitle:

(12) "Passenger car" means a motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate 10 or fewer passengers, including the operator.

Travel Trailer

Transportation Code, Sec. 501.002. Definitions.

In this chapter:

(30) "Travel Trailer" means a house trailer-type vehicle or a camper trailer:

(A) that is a recreational vehicle defined under 24 C.F.R. Section 3282.8(g); or

(B) that:

(i) is less than eight feet in width or 40 feet in length, exclusive of any hitch installed on the vehicle;

(ii) is designed primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use;

(iii) is not used as a permanent dwelling; and

(iv) is not a utility trailer, enclosed trailer, or other trailer that does not have human habitation as its primary function.

"Owner" means the person who holds legal title to the vehicle, or for registration purposes, that person who has the legal right of possession or legal right of control of such vehicle.

If the vehicle is subject to a lien, the lienholder is considered the legal owner; or if the vehicle is free and clear of all liens, the person who is named on the title is the legal owner.

The terms “legal right of possession” and “legal right of control” mean something more than the actual physical possession by an agent or servant. The terms imply such possession or control to be with a degree of permanency throughout the greater part of the registration year and not merely temporary possession. (Attorney General's Opinion No. 0-2105)

A person who can be classified as having either legal right of possession or legal right of control would be one who could be entrusted with the vehicle's care. Said terms would preclude a person who has only the physical control of a motor vehicle, but would include a person who has all rights in the motor vehicle as to its control, operation, use and management, but who does not have legal title. Such possession or control would have to be of a permanent nature and not one that is subject to being divested at any time the legal titleholder within the reasonable expectation of the parties at the time of the registration of the motor vehicle.

- A local ticket agent of a bus company would not have legal right of possession or legal right of control over the buses, which regularly pass through his town. The exception to this would be where by some instrument in the form of a lease or bailment said ticket agent would be given such legal right of control or legal right of possession. In this connection, however, such an instrument drawn up for the purpose of evasion of the motor vehicle registration law would not of itself suffice to make such person the owner within the meaning of the registration statute.
- The same rule that applies to a local agent of a bus company would also be applicable to the local agent of a freight line. However, the local agent of a freight line would be considered an owner, for registration purposes, of vehicles permanently stationed in his county over which he is given legal right of control or legal right of possession.
- A district or branch manager of an oil refining company or wholesale grocery concern could be an owner for his company for the vehicles definitely assigned to that district or branch for registration purposes.

Leased Vehicles - The lessor's name (person or firm who actually owns the vehicle) must be shown in the name of owner space on the registration receipt. To enable the leasing company to receive the negotiable title, allow the lessee to receive all subsequent registration renewal notices. The name and address of the lessee may be shown in Box 14c (Registrant's Name, Renewal Notice Receipt) on the *Application for Texas Title*, **Form 130-U**, and should be shown as the “Renewal Recipient.”

Either the lessor or lessee may renew Texas registration, provided the renewal is filed in the county in which the applicant resides.

A company owned vehicle in which the employee has possession and control may renew registration in the county in which the employee resides.

10.2 Rules and Forms

Transportation Code, Sec. 502.0021 Rules and Forms

(a) The department may adopt rules to administer this chapter.

(b) The department shall post forms on the Internet and provide each county assessor-collector with a sufficient supply of any necessary forms on request.

Administrative Rules

The agency's administrative rules provide an opportunity to clarify a statutory requirement or agency process. When an administrative rule is approved, the rule is formally proposed, filed, and published in the Texas Register. After a public comment period, and, approval by the board, the Secretary of State publishes the final rule in the Texas Administrative Code.

The Administrative Rules can be viewed online at: www.sos.state.tx.us/tac/

10.3 Registration by Political Subdivision Prohibited

Transportation Code, Sec. 502.003. Registration by Political Subdivision Prohibited.

(a) Except as provided by Subsection (b) a political subdivision of this state may not require an owner of a motor vehicle to:

(1) register the vehicle;

(2) pay a motor vehicle registration fee; or

(3) pay an occupation tax or license fee in connection with a motor vehicle.

(b) This section does not affect the authority of a municipality to:

(1) license and regulate the use of motor vehicles for compensation within the municipal limits; and

(2) impose a permit fee or street rental charge for the operation of each motor vehicle used to transport passengers for compensation, other than a motor vehicle operating under a registration certificate from the department or a permit from the federal Surface Transportation Board.

(c) A fee or charge under Subsection (b) may not exceed two percent of the annual gross receipts from the vehicle.

(d) This section does not impair the payment provisions of an agreement or franchise between a municipality and the owners or operators of motor vehicles used to transport passengers for compensation.

10.4 Vehicles Operated on Public Highways Separating Real Property

Transportation Code, Sec. 502.144. Vehicles Operated on Public Highway Separating Real Property Under Vehicle Owner's Control.

Where a public highway separates real property under the control of the owner of a motor vehicle, the operation of the motor vehicle by the owner or the owner's agent or employee across the highway is not a use of the motor vehicle on the public highway.

Vehicle registration is not required for vehicles moving to and from the owner's land if a public highway or city street divides the owner's land as long as the properties are within a reasonable distance from each other.

10.5 Nonresident Operated Vehicles

Transportation Code, Sec. 502.145. Vehicles Operated by Certain Nonresidents.

(a) A nonresident owner of a privately owned passenger car that is registered in the state or country in which the person resides and that is not operated for compensation may operate the car in this state for the period in which the car's license plates are valid. In this subsection, "nonresident" means a resident of a state or country other than this state whose presence in this state is as a visitor and who does not engage in gainful employment or enter into business or an occupation, except as may otherwise be provided by any reciprocal agreement with another state or country.

(b) This section does not prevent:

(1) a nonresident owner of a motor vehicle from operating the vehicle in this state for the sole purpose of marketing farm products raised exclusively by the person; or

(2) a resident of an adjoining state or country from operating in this state a privately owned and registered vehicle to go to and from the person's place of regular employment and to make trips to purchase merchandise, if the vehicle is not operated for compensation.

(c) The privileges provided by this section may be allowed only if, under the laws of the appropriate state or country, similar privileges are granted to vehicles registered under the laws of this state and owned by residents of this state.

(d) This section does not affect the right or status of a vehicle owner under any reciprocal agreement between this state and another state or country.

Texas grants reciprocity to vehicles from other jurisdictions displaying Farm license plates. Out-of-state vehicles displaying Farm license plates are restricted to the same limitations placed on Texas vehicles with interstate movement. If movement is intrastate, a permit or Texas registration is required.

10.6 Design of Registration Insignia

Transportation Code, Sec. 502.00211. Design of Registration Insignia.

The department shall prepare the designs and specifications to be used as the registration insignia.

10.7 Cost of Manufacturing

Transportation Code, Sec. 504.006. Cost of Manufacturing

(a) The department shall reimburse the Texas Department of Criminal Justice for the cost of manufacturing license plates as the invoices for the license plates are delivered to the department.

(b) When manufacturing is started, the Texas Department of Criminal Justice, and the department, after negotiation, shall set the price to be paid for each license plate. The price must be determined from:

(1) the cost of metal, paint, and other materials purchased;

(2) the inmate maintenance cost per shift;

(3) overhead expenses;

(4) miscellaneous charges; and

(5) a previously agreed upon amount of profit for the work.

10.8 International Registration Plan

Transportation Code, Sec. 502.091. International Registration Plan.

(a) The department, through its director, may enter into an agreement with an authorized officer of another jurisdiction, including another state of the United States, a foreign country or a state, province, territory, or possession of a foreign country, to provide for:

(1) the registration of vehicles by residents of this state and nonresidents on an allocation or mileage apportionment plan, as under the International Registration Plan; and

(2) the exemption from payment of registration fees by nonresidents if residents of this state are granted reciprocal exemptions.

(b) The department may adopt and enforce rules to carry out the International Registration Plan or other agreement under this section.

(c) To carry out the International Registration Plan or other agreement under this section, the department shall direct that fees collected for other jurisdictions under the agreement be deposited to the credit of the proportional registration distributive fund in the state treasury and distributed to the appropriate jurisdiction through that fund. The department is not required to refund any amount less than $10 unless required by the plan.

(d) This section prevails to the extent of conflict with another law relating to the subject of this section.

(e) A person commits an offense if the person owns or operates a vehicle not registered in this state in violation of:

(1) an agreement under this section; or

(2) the applicable registration laws of this state, in the absence of an agreement under this section.

(f) An offense under Subsection (e) is a misdemeanor punishable by a fine not to exceed $200.

Who Must Obtain IRP Registration

Apportionable Vehicle means (except as provided below) any Power Unit that is used or intended for use in two or more Member Jurisdictions and that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property, and:

- has two Axles and a gross Vehicle weight or registered gross Vehicle weight in excess of 26,000 lbs. (11,793.401 kilograms);
- has three or more Axles, regardless of weight; or
- is used in combination, when the gross Vehicle weight of such combination exceeds 26,000 lbs. (11,793.401 kilograms).

A recreational vehicle, a vehicle displaying Restricted Plates, a bus used in the transportation of chartered parties or a government-owned vehicle, is not an Apportionable Vehicle; except that a Truck or Truck Tractor, or the Power Unit in a Combination of vehicles having a gross vehicle weight of 26,000 lbs. (11,793.401 kilograms), or less, and a bus used in the transportation of chartered parties, nevertheless may be registered under the Plan at the option of the registrant.

TxDMV may enter into a reciprocal agreement with other states, Mexico, and Canadian provinces. The publication, *Summary of Reciprocity Agreements between Texas and the other States* contains information on:

- Vehicles operated by military personnel,
- Vehicles operated with foreign license plates, and
- Student reciprocity.

Note: A summary of Reciprocity Agreements between Texas and the other states is available on the TxDMV web site.

10.9 Disputed Classification of Vehicle

Transportation Code, Sec. 502.056. Disputed Classification of Vehicle.

In a disputed case, the department may determine:

(1) the classification to which a vehicle belongs; and

(2) the amount of the registration fee for the vehicle.

When there is a doubt regarding vehicle classification, contact the department with a photograph and vehicle details.

10.10 Department Responsibilities

Transportation Code, Sec. 520.004. Department Responsibilities.

The department has jurisdiction over the registration and titling of, and the issuance of license plates to, motor vehicles in compliance with the applicable statutes. The department by rule:

(1) shall provide services that are reasonable, adequate, and efficient;

(2) shall establish standards for uniformity and service quality for counties and dealers licensed under 520.005; and

(3) may conduct public service education campaigns related to the department's functions.

10.11 County Tax Assessor-Collector Operations

Transportation Code, Sec. 520.007. County Branch Offices.

(a) The commissioners court of a county may authorize the county assessor-collector to:

(1) establish a suboffice or branch office for vehicle registration at one or more locations in the county other than the county courthouse; or

(2) appoint a deputy to register vehicles in the same manner and with the same authority as though done in the office of the assessor-collector.

(b) The report of vehicles registered through a suboffice or branch office shall be made through the office of the county assessor-collector.

The department recommends county tax assessor-collectors bond substation deputies in the same manner as those in the main tax office. The tax assessor-collector should ensure the amount of the bond is equal to the volume of business handled.

County commissioners' courts can approve a request from the county tax assessor-collector to deputize a person or business to conduct specific vehicle title and registration functions. Deputies are either full-service or limited service. Each type has specific functions and allowed fees.

Deputies

Transportation Code, Sec. 520.0071. Deputies.

(a) The board by rule shall prescribe:

(1) the classification types of deputies performing titling and registration duties;

(2) the duties and obligations of deputies;

(3) the type and amount of any bonds that may be required by a county assessor-collector for a deputy to perform titling and registration duties; and

(4) the fees that may be charged or retained by deputies.

(b) A county assessor-collector, with the approval of the commissioners court of the county, may deputize an individual or business entity to perform titling and registration services in accordance with rules adopted under Subsection (a).

Lease of Additional Computer Equipment

Transportation Code, Sec. 520.0093 Lease of Computer Equipment.

(a) The department may lease equipment and provide related services to a:

(1) county for the operation of the automated registration and titling system in addition to the equipment provided by the department at no cost to the county under a formula prescribed by the department; and

(2) deputy appointed under Section 520.0071.

(b) On the request of the tax assessor-collector of a county, the department may enter into an agreement with the commissioners court of that county under which the department leases additional equipment to the county for the use of the tax assessor-collector in operating the automated registration and titling system in that county.

(b-1) On the request of a deputy appointed under Section 520.0071, the department may enter into an agreement under which the department leases equipment to the deputy for the use of the deputy in operating the automated registration and titling system. The department may require the deputy to post a bond in an amount equal to the value of the equipment.

(c) A county may install equipment leased under this section at offices of the county or of an agent of the county. A deputy appointed under Section 520.0071 may install equipment leased under this section on the premises described in the agreement.

(d) Equipment leased under this section:

(1) remains the property of the department; and

(2) must be used primarily for the automated registration and titling system.

(e) Under the agreement, the department shall charge an amount not less than the amount of the cost to the department to provide the equipment and any related services under the lease. All money collected under the lease shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

If a county wants any additional system resources, (for example, workstations or peripheral equipment) beyond that which is allocated, the equipment and support may be leased at the counties expense from the department.

Counties should contact their supporting TxDMV Regional Service Center for information to amend their existing agreement.

Chapter 11

INSURANCE

This chapter contains the following sections:

- ***11.1*** Evidence of Financial Responsibility
- ***11.2*** Minimum Coverage Amounts
- ***11.3*** Motor Vehicle Liability Insurance Requirements
- ***11.4*** Incomplete Evidence
- ***11.5*** Owners Providing Evidence for Others
- ***11.6*** Identification and Insurance Programs Fees
- ***11.7*** TexasSure Vehicle Insurance Verification

11.1 Evidence of Financial Responsibility

Transportation Code, Sec. 502.046. Evidence of Financial Responsibility.

(a) Evidence of financial responsibility as required by Section 601.051 other than for a trailer or semitrailer shall be submitted with the application for registration under Section 502.043. A county assessor-collector may not register the motor vehicle unless the owner or the owner's representative submits the evidence of financial responsibility.

(b) The county assessor-collector shall examine the evidence of financial responsibility to determine whether it complies with Subsection (c). After examination the evidence shall be returned unless it is in the form of a photocopy or an electronic submission.

(c) In this section, evidence of financial responsibility may be:

(1) a document listed under Section 601.053(a) or verified in compliance with Section 601.452;

(2) a liability self-insurance or pool coverage document issued by a political subdivision or governmental pool under the authority of Chapter 791, Government Code, Chapter 119, Local Government Code, or other applicable law in at least the minimum amounts required by Chapter 601;

(3) a photocopy of a document described by Subdivision (1) or (2); or

(4) an electronic submission of a document or the information contained in a document described by Subdivision (1) or (2).

(d) A personal automobile policy used as evidence of financial responsibility under this section must comply with Section 1952.052 et seq. and Sections 2301.051 through 2301.055, Insurance Code.

(e) At the time of registration, the county assessor-collector shall provide to a person registering a motor vehicle a statement that the motor vehicle may not be operated in this state unless:

(1) liability insurance coverage for the motor vehicle in at least the minimum amounts required by law remains in effect to insure against potential losses; or

(2) the motor vehicle is exempt from the insurance requirement because the person has established financial responsibility in a manner described by Section 601.051(2)-(5) or is exempt under Section 601.052.

(f) A county assessor-collector is not liable to any person for refusing to register a motor vehicle to which this section applies because of the person's failure to submit evidence of financial responsibility that complies with Subsection (c).

(g) A county, a county assessor-collector, a deputy county assessor-collector, a person acting for or on behalf of a county or a county assessor-collector, or a person acting on behalf of an owner for purposes of registering a motor vehicle is not liable to any person for registering a motor vehicle under this section.

(h) This section does not prevent a person from registering a motor vehicle by mail or through an electronic submission.

(i) To be valid under this section, an electronic submission must be in a format that is:

(1) submitted by electronic means, including a telephone, facsimile machine, or computer;

(2) approved by the department; and

(3) authorized by the commissioners court for use in the county.

(j) This section does not apply to a vehicle registered pursuant to Section 501.0234.

Note: Due to a change in law for Section 601.053(a), proof of insurance through a mobile communication device is another acceptable form of evidence. The insurance displayed on the device will need to have the minimum requirements listed under Section 601.081.

Proof of Financial Responsibility

Registrants of motor vehicles must provide valid proof of financial responsibility (insurance) on the vehicle being registered in the minimum amounts required by law at the time of initial registration, or renewal of registration.

Texas licensed motor vehicle dealers are not required to provide proof of financial responsibility (insurance) when they are applying for title and registration for the purchaser. There are a few additional types of transactions where proof of insurance is not a requirement listed in Table 11-1.

The county, the county tax assessor-collector, a deputy county tax assessor-collector, and any person acting for or on behalf of a county or county tax assessor-collector is not liable to any person for refusing to register a motor vehicle subject to these provisions because of the person's failure to submit acceptable proof of financial responsibility.

If insurance is not verified through the system, valid evidence of financial responsibility (insurance) or a copy of the evidence satisfies the requirement of proof at the time of initial registration, or renewal of registration. This evidence includes, but is not limited to:

- A liability insurance policy or liability self-insurance or pool coverage document issued in at least the minimum amounts required by law, or
- A standard proof of liability form issued by a liability insurer including the:
  - name of the insurer,
  - insurance policy number,
  - policy period,
  - name and address of each insured,
  - policy limits or statement that the coverage of the policy complies with at least the minimum amounts of liability insurance required by law, and
  - make, and model of each covered vehicle.

Note: Some liability insurance cards may not contain all the information listed above, but are acceptable.

The tax assessor-collector should:

- examine the proof of financial responsibility to determine if it complies with the items acceptable as evidence,
- contact the Texas Department of Insurance if unsure concerning the acceptability of a presented document, and
- return original documents to the registrant regardless of whether registration is in person or by mail. Copies of insurance documents do not have to be returned.

Requirement of Financial Responsibility

Transportation Code, Sec. 601.051. Requirement of Financial Responsibility.

A person may not operate a motor vehicle in this state unless financial responsibility is established for that vehicle through:

(1) a motor vehicle insurance policy that complies with Subchapter D;

(2) a surety bond filed under Section 601.121;

(3) a deposit under Section 601.122;

(4) a deposit under Section 601.123; or

(5) self-insurance under Section 601.124.

- Subchapter D of Section 601 - A current automobile insurance policy or card is legitimate proof of financial responsibility. According to the Texas Department of Insurance, a binder issued pending the issuance of a motor vehicle liability policy is acceptable as proof of financial responsibility.
- Section 601.121 (Surety Bond) - A certificate of compliance, issued by the Department of Public Safety, indicating the owner has filed the necessary bond for the vehicle with the Department of Public Safety.
- Section 601.122 (Deposit of Cash or Securities with Comptroller) - A certificate issued by the State Comptroller showing the vehicle owner has deposited $55,000 in cash or securities with the Comptroller.

- Section 601.123 (Deposit of Cash or Cashier's Check with County Judge) - A copy of a certificate issued by the county judge of the county in which the vehicle is to be registered indicating the vehicle owner has deposited with the county judge an amount of not less than $55,000 in cash or a cashier's check, the certificate must be acknowledged by the sheriff of that county and filed with the Department of Public Safety.
- Section 601.124 (Self-Insurance) - A copy of a self-insurance certificate issued by the Department of Public Safety (25 vehicles or more to qualify).

11.2 Minimum Coverage Amounts

Transportation Code, Sec. 601.072. Minimum Coverage Amounts; Exclusions.

(a-1) Effective January 1, 2011, the minimum amounts of motor vehicle liability insurance coverage required to establish financial responsibility under this chapter are:

(1) $30,000 for bodily injury to or death of one person in one accident;

(2) $60,000 for bodily injury to or death of two or more persons in one accident, subject to the amount provided by Subdivision (1) for bodily injury to or death of one of the persons; and

(3) $25,000 for damage to or destruction of property of others in one accident.

(b) The coverage required under this section may exclude, with respect to one accident:

(1) the first $250 of liability for bodily injury to or death of one person;

(2) the first $500 of liability for bodily injury to or death of two or more persons, subject to the amount provided by Subdivision (1) for bodily injury to or death of one of the persons; and

(3) the first $250 of liability for property damage to or destruction of property of others.

(c) The Texas Department of Insurance shall establish an outreach program to inform persons of the requirements of this chapter and the ability to comply with the financial responsibility requirements of this chapter through motor vehicle liability insurance coverage. The commissioner, by rule, shall establish the requirements for the program. The program must be designed to encourage compliance with the financial responsibility requirements, and must be made available in English and Spanish.

Initial Registration and Transfer of Title Requirements

Acceptable proof of financial responsibility that may be accepted in conjunction with a transfer of title, if the transfer occurs within 30 days of the title assignment date, includes:

- Valid proof of insurance on any vehicle the title applicant owns, or
- Valid proof of insurance on a vehicle that is being used as a trade-in on the vehicle that is being registered and titled.

If the application for title is filed after 30 days after the date of title assignment then proof of insurance must be submitted on the actual vehicle that is being titled.

Insurance is not acceptable if written for less than 30 days.

11.3 Motor Vehicle Liability Insurance Requirements

Transportation Code, Sec. 601.071. Motor Vehicle Liability Insurance; Requirements.

For purposes of this chapter, a motor vehicle liability insurance policy must be an owner's or operator's policy that:

(1) except as provided by Section 601.083, is issued by an insurance company authorized to write motor vehicle liability insurance in this state;

(2) is written to or for the benefit of the person named in the policy as the insured; and

(3) meets the requirements of this subchapter.

Out-of-State or Out-of-Country Proof of Insurance

Proof of financial responsibility from out-of-state or out-of-country issued by an agent, company, or surety company authorized to write liability insurance in Texas, is acceptable provided the insurance coverage is at least the minimum amounts required by the Texas Motor Vehicle Safety-Responsibility Act (Transportation Code Section 601.072).

No Fault Insurance

"No fault" insurance is not acceptable as proof of financial responsibility.

Motorcycle Insurance

Valid proof of financial responsibility for a motorcycle is the same as for any vehicle.

11.4 Incomplete Evidence

Transportation Code, Sec. 601.057. Evidence that Does Not Fulfill Requirements; Suspension.

If evidence filed with the department does not continue to fulfill the purpose for which it was required, the department shall suspend the driver's license and all vehicle registrations or nonresident's operating privilege of the person who filed the evidence pending the filing of other evidence of financial responsibility.

In this section, the Department of Public Safety is the department with the authority to suspend a driver's license and vehicle registration.

11.5 Owners Providing Evidence for Others

Transportation Code, Sec. 601.054. Owner May Provide Evidence of Financial Responsibility for Others.

(a) The department shall accept evidence of financial responsibility from an owner for another person required to establish evidence of financial responsibility if the other person is:

(1) an operator employed by the owner; or

(2) a member of the owner's immediate family or household.

(b) The evidence of financial responsibility applies to a person who becomes subject to Subsection (a)(1) or (2) after the effective date of that evidence.

(c) Evidence of financial responsibility accepted by the department under Subsection (a) is a substitute for evidence by the other person and permits the other person to operate a motor vehicle for which the owner has provided evidence of financial responsibility.

(d) The department shall designate the restrictions imposed by this section on the face of the other person's driver's license.

Situations Not Requiring Proof of Insurance

Transportation Code, Sec. 601.052. Exceptions to Financial Responsibility Requirement.

(a) Section 601.051 does not apply to:

(1) the operation of a motor vehicle that:

(A) is a former military vehicle or is at least 25 years old;

(B) is used only for exhibitions, club activities, parades, and other functions of public interest and not for regular transportation; and

(C) for which the owner files with the department an affidavit, signed by the owner, stating that the vehicle is a collector's item and used only as described by Paragraph (B);

(2) the operation of a neighborhood electric vehicle or a golf cart that is operated only as authorized by Section 551.304 or 551.403; or

(3) a volunteer fire department for the operation of a motor vehicle the title of which is held in the name of a volunteer fire department.

(b) Subsection (a)(3) does not exempt from the requirement of Section 601.051 a person who is operating a vehicle described by that subsection.

(c) In this section:

(1) "Former military vehicle" has the meaning assigned by Section 504.502(i).

(2) "Volunteer fire department" means a company, department, or association that is:

(A) organized in an unincorporated area to answer fire alarms and extinguish fires or to answer fire alarms, extinguish fires, and provide emergency medical services; and

(B) composed of members who:

(i) do not receive compensation; or

(ii) receive only nominal compensation.

Note: <u>ONLY</u> NEVs operated under Transportation Code, Sec. 551.304. Limited Operation.**, are not required to have insurance.**

A list of registration scenarios that do not require insurance verification is in Table 11-1.

Table 11-1 Insurance Not Required Quick Reference

Topic	Situation	Additional Information
Form 130-U filed for…	transfer to Insurance company	for a total loss on an unrecovered vehicle
	transfer security interest	"LIEN TRANSFER/NCO" with no change in ownership
	correct vehicle description or add or delete a lien	no change in ownership
	vehicle with Apportioned license plates	proof is required for plates obtained at a TxDMV Regional Service Center
Replacement plates	this is not a registration event	no change in registration status
Exchange current plates for specialty plates	Collegiate, State Capitol, Armed Forces Reserve, etc.	no change in registration status
Application for initial issuance or renewal of Antique license plates	supported by *Affidavit Relating to Mandatory Liability Insurance Exemption* for Certain Antique Vehicles	(Transportation Code, Sec. 601.052), original form is filed with the Texas Department of Public Safety
Other specialty plates, during application for initial issuance or renewal	Personalized Dealer license plates, Disaster Relief license plates, Exempt license plates, Trailer license plates (any type), Log Loader license plates, Machinery license plates, Permit license plates, Manufacturer's license plates, and Single Tow Truck license plates.	Insurance not required by law

11.6 Identification and Insurance Programs Fees

Transportation Code, Sec. 502.357. Financial Responsibility Programs.

(a) In addition to other fees imposed for registration of a motor vehicle, at the time of application for registration or renewal of registration of a motor vehicle for which the owner is required to submit evidence of financial responsibility under Section 502.046, the applicant shall pay a fee of $1. In addition to other fees imposed for registration of a motor vehicle, at the time of application for registration of a motor vehicle that is subject to Section 501.0234, the applicant shall pay a fee of $1. Fees collected under this section shall be remitted weekly to the department.

(b) Fees collected under this section shall be deposited to the credit of the state highway fund. Subject to appropriations, the money shall be used by the Department of Public Safety to:

(1) support the Department of Public Safety's reengineering of the driver's license system to provide for the issuance by the Department of Public Safety of a driver's license or personal identification certificate, to include use of image comparison technology;

(2) establish and maintain a system to support the driver responsibility program under Chapter 708; and

(3) make lease payments to the master lease purchase program for the financing of the driver's license reengineering project.

(c) Fees collected under this section shall be deposited to the credit of the state highway fund. Subject to appropriation, the money may be used by the Department of Public Safety, the Texas Department of Insurance, the Department of Information Resources, and the department to carry out Subchapter N, Chapter 601.

(d) The Department of Public Safety, the Texas Department of Insurance, the Department of Information Resources, and the department shall jointly adopt rules and develop forms necessary to administer this section.

11.7 TexasSure Vehicle Insurance Verification

A $1 fee is collected in addition to registration fees at the time of initial registration or renewal; the registration receipt will reflect RegFee-DPS

This fee was established for the creation and maintenance of an insurance database (TexasSure) that can be accessed through the system to determine the insurance status of a specific vehicle. Upon the input of a VIN or license plate number, the system returns the following messages:

- Verified - this indicates the vehicle has current insurance and no further verification is required
- Verify Manually - this information appears highlighted in RED and indicates that insurance could not be verified
- Not Applicable - this indicates proof of insurance is not required for this type of vehicle (trailers, semi-trailers, machinery, etc.).

If the system message returned is “Verify Manually,” then the registrant must present acceptable Proof of Financial Responsibility.

Chapter 12

OFF-HIGHWAY, LOG LOADER, FORESTRY & MISCELLANEOUS

This chapter contains the following sections:

- ***12.1*** All-terrain Vehicles
- ***12.2*** Recreational Off-Highway Vehicles (ROV)
- ***12.3*** Neighborhood Electric Vehicles (NEV)
- ***12.4*** Golf Carts and Utility Vehicles
- ***12.5*** Pocket Bike or Minimotorbike
- ***12.6*** Motor Assisted Scooter and Minimotorbike
- ***12.7*** Log Loader Vehicle
- ***12.8*** Forestry Vehicles
- ***12.9*** Other Vehicles
- ***12.10*** Oil Well Servicing and Drilling Machinery
- ***12.11*** Registration of Vehicle
- ***12.12*** Vehicles Subject to Registration or Eligible for Distinguishing License Plates

12.1 All-terrain Vehicles

Transportation Code, Sec. 502.140. Certain Off-highway Vehicles.

(a) Except as provided by Subsection (b), a person may not register an all-terrain vehicle or a recreational off-highway vehicle, with or without design alterations, for operation on a public highway.

(b) The state, a county, or a municipality may register an all-terrain vehicle or a recreational off-highway vehicle that is owned by the state, county, or municipality for operation on a public beach or highway to maintain public safety and welfare.

(c) [Repealed by Acts 2013, 83rd Leg., ch. 895 (HB 1044), effective September 1, 2013.]

(d) Section 504.401 does not apply to an all-terrain vehicle or a recreational off-highway vehicle.

(e) An all-terrain vehicle or recreational off-highway vehicle that is owned by the state, a county, or a municipality and operated in compliance with Section 663.037 does not require registration under Subsection (b).

Transportation Code, Sec. 502.001. Definitions. In this chapter:

(1) "All-terrain vehicle" means a motor vehicle that is:

(A) equipped with a seat or seats for the use of:

(i) the rider; and

(ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;

(B) designed to propel itself with three or more tires in contact with the ground;

(C) designed by the manufacturer for off-highway use; and

(D) not designed by the manufacturer primarily for farming or lawn care; and

(E) not more than 50 inches wide.

A vehicle is classified as an all-terrain vehicle (ATV) if it:

- has a seat or seats,
- has three or more wheels,
- is designed for off-highway use,
- is not designed by the manufacturer for farm or lawn care, and
- is not more than 50 inches wide.

Operation of ATV

(Transportation Code, Sec. 663.037. Operation on Public Roadway Prohibited.) ATVs may not be driven on public roads unless the:

- vehicle is owned by a state, county or municipality and operated on a public beach or highway to maintain public safety and welfare;
- driver is a farmer or a rancher and the use of the vehicle is in connection with the production, cultivation, harvesting, etc. of agricultural products; or
- driver is a public utility worker, or law enforcement officer.

If the vehicle qualifies as indicated above, and is operated on public roads:

- it must display an eight-foot-long pole with triangular orange flag at top (slow moving emblem) that is mounted to the back of the ATV,
- it must have headlights and taillights that are illuminated,
- the operator must have a driver license,
- the operation of the vehicle must occur in the daytime, and
- the operation does not exceed a distance of 25 miles from point of origin to the destination.

To be operated on public property, an ATV must have:

- a brake system,
- a muffler system,
- a U.S. Forest Service qualified spark arrester,
- head and tail light, and
- an Off Highway Vehicle decal issued by the Texas Parks and Wildlife Department.

Off-Highway Vehicle Decal

The Texas Parks and Wildlife Department (TPWD) issues the Off Highway Vehicle decals that allow ATVs to operate in state owned parks and recreation areas. TPWD should be contacted for information concerning the issuance of these decals.

Safety Certificate for Operation on Public Property

In addition to the decal requirements for the ATV, the operator of an ATV on public property must hold a safety certificate issued by this state or by another state. The operator must carry the certificate when operating the vehicle on public property and display the certificate at the request of any law enforcement officer.

Transportation Code, Sec. 502.140 states that a person may not register an ATV with or without design modifications, for operation on a public highway.

12.2 Recreational Off-Highway Vehicles (ROV)

Transportation Code, Sec.502.001. Definitions

(37) "Recreational off-highway vehicle" means a motor vehicle that is:

(A) equipped with a seat or seats for the use of:

(i) the rider; and

(ii) a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers;

(B) designed to propel itself with four or more tires in contact with the ground;

(C) designed by the manufacturer for off-highway use by the operator only; and

(D) not designed by the manufacturer primarily for farming or lawn care.

Operation of ROV

ROVs may not be driven on public roads (Transportation Code, Sec. 663.037) unless the:

- vehicle is owned by a state, county or municipality and operated on a public beach or highway to maintain public safety and welfare;
- driver is a farmer or a rancher and the use of the vehicle is in connection with the production, cultivation, harvesting, etc. of agricultural products; or
- driver is a public utility worker, or law enforcement officer.

If the vehicle qualifies as indicated above and is operated on public roads:

- it must display an eight foot long pole with triangular orange flag at top that is mounted to the back of the ROV,
- it must have headlights and taillights that are illuminated,
- the operator must have a driver license,
- the operation of the vehicle must occur in the daytime, and
- the operation does not exceed a distance of 25 miles from point of origin to the destination.

To operate on public property, an ROV must have:

- a brake system,
- a muffler system,
- a U.S. Forest Service qualified spark arrester,
- head and tail light, and
- an Off Highway Vehicle (OHV) decal issued by Texas Parks and Wildlife Department.

Off-Highway Vehicle Decal

The Texas Parks and Wildlife Department (TPWD) issues the Off Highway Vehicle decals that authorize an ROV to operate in state owned parks and recreation areas. TPWD should be contacted for information concerning the issuance of these decals.

Safety Certificate for Operation on Public Property

The operator of a ROV on public property must have been issued a safety certificate issued by this state or by another state. The operator must carry the certificate when operating the vehicle and display the certificate at the request of any law enforcement officer.

A ROV should be titled with a body style of MV-ROV in the system. The Vehicle Class is Motorcycle and the Registration Class is ROV.

Transportation Code, Sec. 502.140 states that a person may not register a ROV with or without design modifications, for operation on a public highway.

12.3 Neighborhood Electric Vehicles (NEV)

Transportation Code, Sec. 551.301. Definitions.

In this subchapter: "Neighborhood electric vehicle" means a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface and otherwise complies with Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

Transportation Code Sec. 551.303. Operation on Roadways.

(a) A neighborhood electric vehicle may be operated only on a street or highway for which the posted speed limit is 45 miles per hour or less. A neighborhood electric vehicle may cross a road or street at an intersection where the road or street has a posted speed limit of more than 45 miles per hour. A neighborhood electric vehicle may not be operated on a street or highway at a speed that exceeds the lesser of:

(1) the posted speed limit; or

(2) 35 miles per hour.

(b) A county or municipality may prohibit the operation of a neighborhood electric vehicle on a street or highway if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

(c) The Texas Department of Transportation may prohibit the operation of a neighborhood electric vehicle on a highway if that department determines that the prohibition is necessary in the interest of safety.

Transportation Code, Sec. 551.304. Limited Operation.

(a) An operator may operate a neighborhood electric vehicle:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or

(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the neighborhood electric vehicle is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the neighborhood electric vehicle is usually parked and for transportation to or from a golf course.

(b) A person is not required to register a neighborhood electric vehicle operated in compliance with this section.

A NEV is a motor vehicle that:

- is originally manufactured to meet, and meets, the equipment requirements and safety standards established for “low speed vehicles” in Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500);
- has four wheels;
- does not have to be powered by electricity (other power sources, such as gasoline, are acceptable);
- is a slow-moving vehicle, being able to attain a speed of more than 20 miles per hour but not more than 35 miles per hour; and
- is not a golf cart (designed by the manufacturer primarily for transporting persons on a golf course).

Registration and Title

A NEV is required to be titled in order to be registered for operation on public roads in accordance with 551.303. A NEV is not required to be titled and registered if operated in accordance with 551.304 (same as golf cart).

The registration classification of a NEV will be determined by whether it is designed as a 4-wheel truck, or a 4-wheel passenger vehicle.

A NEV requires the same financial responsibility or liability insurance as a vehicle when operated in accordance with 551.303. A NEV no longer requires the same financial responsibility or liability insurance as a vehicle when operated as a golf cart in accordance with 551.304.

The NEV must meet Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500) for low-speed vehicles.

NEVs must be titled with a body style of “NV NHOOD ELEC” and registered as either a truck or a passenger vehicle.

Evidence of Ownership

Acceptable documents for evidence of ownership for NEVs include Certificates of Title indicating a body style of “NV NHOOD ELEC” or a Manufacturer's Certificate of Origin with a statement that the vehicle meets Federal Motor Vehicle Safety Standard 500 (49 C.F.R. §571.500).

Some NEVs in Texas were previously titled with the body style of golf cart (GC) and out-of-state titles may show other body styles. In order to title and register these vehicles as “NV NHOOD ELEC” the vehicle must have a conforming 17-digit VIN. If a vehicle does not meet this criteria, it cannot be titled or registered as a NEV.

Federal Motor Vehicle Safety Standard §571.500 Standard No. 500; Low-speed vehicles.

S1. ***Scope.*** *This standard specifies requirements for low-speed vehicles.*

S2. ***Purpose.*** *The purpose of this standard is to ensure that low-speed vehicles operated on the public streets, roads, and highways are equipped with the minimum motor vehicle equipment appropriate for motor vehicle safety.*

S3. ***Applicability.*** *This standard applies to low-speed vehicles.*

S4. [Reserved.]

S5. ***Requirements.***

(a) When tested in accordance with test conditions in S6 and test procedures in S7, the maximum speed attainable in 1.6 km (1 mile) by each low-speed vehicle shall not more than 40 kilometers per hour (25 miles per hour).

(b) Each low-speed vehicle shall be equipped with:

(1) Headlamps,

(2) Front and rear turn signal lamps,

(3) Taillamps,

(4) Stop lamps,

(5) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,

(6) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,

(7) A parking brake,

(8) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).

(9) A VIN that conforms to the requirements of part 565 Vehicle Identification Number of this chapter, and

(10) A Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, Seat belt assemblies, installed at each designated seating position.

Operation of NEVs

A NEV operated in accordance with 551.303:

- may be operated only on a street or highway for which the posted speed limit is 45 miles per hour or less and is subject to all traffic and other laws applicable to motor vehicles,
- may cross a road or street at an intersection where the road or street has a posted speed limit of more than 45 miles per hour, and
- may not be operated on a street or highway if:
  - the governing body of a county or city determines that prohibiting such operation is necessary in the interest of safety, or
  - The department determines that prohibiting such operation is necessary in the interest of safety.

A NEV operated in accordance with 551.304:

- may be operated in a master planned community that has in place a uniform set of restrictive covenants; and for which a county or municipality has approved a plat;
- may be operated on a public or private beach; and
- may be operated on a public highway for which the posted speed limit is not more than 35 miles per hour, if operated:
  - during the daytime, and
  - not more than two miles from the location where the NEV is usually parked and for transportation to or from a golf course.

A person is not required to register a neighborhood electric vehicle operated in compliance with this section, 551.304.

12.4 Golf Carts and Utility Vehicles

Transportation Code, Sec. 551.401. Definitions.

In this subchapter,

(1) "golf cart" and "public highway" have the meanings assigned by Section 502.001.

(2) "Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:

(A) equipped with side-by-side seating for the use of the operator and a passenger;

(B) designed to propel itself with at least four tires in contact with the ground;

(C) designed by the manufacturer for off-highway use only; and

(D) designed by the manufacturer primarily for utility work and not for recreational purposes.

Transportation Code, Sec. 502.001.

(18) "Golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.

(35) "Public highway" includes a road, street, way, thoroughfare, or bridge:

(A) that is in this state;

(B) that is for the use of vehicles;

(C) that is not privately owned or controlled; and

(D) over which the state has legislative jurisdiction under its police power.

Transportation Code, Sec. 551.402. Registration Not Authorized.

(a) The Texas Department of Motor Vehicles may not register a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.

(b) The Texas Department of Motor Vehicles may issue license plates for a golf cart as authorized by Section (c).

(c) The Texas Department of Motor Vehicles shall by rule, establish a procedure to issue the license plates to be used for operation in accordance with Sections 551.403 and 551.404.

(d) The Texas Department of Motor Vehicles may charge a fee not to exceed $10 for the cost of the license plate.

Transportation Code, Sec. 551.403. Limited Operation.

(a) An operator may operate a golf cart:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or

(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Transportation Code, Sec. 551.404. Operation in Municipalities and Certain Counties.

(a) In addition to the operation authorized by Section 551.403, the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that:

(1) is in the corporate boundaries of the municipality; and

(2) has a posted speed limit of not more than 35 miles per hour.

(a-1) In addition to the operation authorized by Section 551.403, the commissioners court of a county described by Subsection (a-2) may allow an operator to operate a golf cart or utility vehicle on all or part of a public highway that:

(1) is located in the unincorporated area of the county; and

(2) has a speed limit of not more than 35 miles per hour.

(a-2) Subsection (a-1) applies only to a county that:

(1) borders or contains a portion of the Red River;

(2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or

(3) is adjacent to a county described by Subdivision (2) and:

(A) has a population of less than 30,000; and

(B) contains a part of a barrier island that borders the Gulf of Mexico.

(b) A golf cart or utility vehicle operated under this section must have the following equipment:

(1) headlamps;

(2) taillamps;

(3) reflectors;

(4) parking brake; and

(5) mirrors.

Transportation Code, Sec. 551.405. Crossing Certain Roadways.

A golf cart may cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour.

Unregistered golf carts may be operated on public roads if allowed by the city, if:

- the road has a posted speed limit of 35 mph or less, and
- the golf cart is equipped with head lamps, tail lamps, reflectors, a parking brake, and mirrors.

State law allows unregistered golf carts to be operated on public roads:

- to cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour;
- in a master planned community with a uniform set of restrictive covenants and a county or municipality-approved plat;
- on a public or private beach; and

- on a road with a posted speed limit not more than 35 mph if driven to or from a golf course during the daytime and the golf cart is driven not more than two miles from the location where it is usually parked and for transportation to and from a golf course.

Golf carts should display a slow-moving vehicle emblem if operated on public roads.

12.5 Pocket Bike or Minimotorbike

Transportation Code, Sec. 551.353. Application of Subchapter to Pocket Bike or Minimotorbike.

This subchapter may not be construed to authorize the operation of a pocket bike or minimotorbike on any:

(1) highway, road, or street;

(2) path set aside for the exclusive operation of bicycles; or

(3) sidewalk.

12.6 Motor Assisted Scooter and Minimotorbike

Transportation Code, Sec. 551.351. Definitions.

In this subchapter,

(1) "Motor-assisted scooter":

(A) means a self-propelled device with:

(i) at least two wheels in contact with the ground during operation;

(ii) a braking system capable of stopping the device under typical operating conditions;

(iii) a gas or electric motor not exceeding 40 cubic centimeters;

(iv) a deck designed to allow a person to stand or sit while operating the device; and

(v) the ability to be propelled by human power alone; and

(B) does not include a pocket bike or a minimotorbike.

(2) "Pocket bike or minimotorbike" means a self-propelled vehicle that is equipped with an electric motor or internal combustion engine having a piston displacement of less than 50 cubic centimeters, is designed to propel itself with not more than two wheels in contact with the ground, has a seat or saddle for the use of the operator, is not designed for use on a highway, and is ineligible for a certificate of title under Chapter 501. The term does not include:

(A) a moped or motorcycle;

(B) an electric bicycle or motor-driven cycle, as defined by Section 541.201;

(C) a motorized mobility device, as defined by Section 542.009;

(D) an electric personal assistive mobility device, as defined by Section 551.201; or

(E) a neighborhood electric vehicle, as defined by Section 551.301.

Operation on Roadways

Transportation Code, Sec. 551.352. Operation on Roadways or Sidewalks.

(a) A motor-assisted scooter may be operated only on a street or highway for which the posted speed limit is 35 miles per hour or less. The motor-assisted scooter may cross a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A county or municipality may prohibit the operation of a motor-assisted scooter on a street, highway, or sidewalk if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

(c) The department may prohibit the operation of a motor-assisted scooter on a highway if it determines that the prohibition is necessary in the interest of safety.

(d) A person may operate a motor-assisted scooter on a path set aside for the exclusive operation of bicycles or on a sidewalk. Except as otherwise provided by this section, a provision of this title applicable to the operation of a bicycle applies to the operation of a motor-assisted scooter.

(e) A provision of this title applicable to a motor vehicle does not apply to a motor-assisted scooter.

Unsafe Vehicles

Transportation Code, Sec. 502.048. Refusal to Register Unsafe Vehicle.

(a) The department may refuse to register a motor vehicle and may cancel, suspend, or revoke a registration if the department determines that a motor vehicle is unsafe, improperly equipped, or otherwise unfit to be operated on a public highway.

12.7 Log Loader Vehicle

Transportation Code, Sec. 504.506. Log Loader Vehicles.

(a) The department shall issue specialty license plates for a vehicle that is temporarily operated on public highways, during daylight hours only, and on which machinery is mounted solely to load logs on other vehicles.

(b) The fee for issuance of the license plates is $62.50.

(c) A person entitled to specialty license plates under this section may register the vehicle without payment of any fee paid for or at the time of registration other than the fee for the license plates.

(d) A vehicle having a license plate issued under this section is exempt from the inspection requirements of Chapter 548.

(e) This section does not apply to a vehicle used to haul logs.

(f) [Repealed by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), § 247(17), effective January 1, 2012]

Log Loader Vehicle; Penalties

Transportation Code, Sec. 504.942. Log Loader Vehicles; Penalties

A vehicle operated in violation of Section 504.506 is considered to be operated or moved while unregistered and is immediately subject to the applicable fees and penalties prescribed by this chapter.

Log Loader license plate fees are divided between the Employees Retirement System of Texas (ERS) and the department. The ERS receives 4% of the fees, deposited in the law enforcement and custodial officer supplemental retirement fund, and the department receives the remaining 96%.

- The fee for a Log Loader license plate is $62.50 for each year or portion of a year. License plate fees are not prorated.
- The license plates are manufactured with “LOG LOADER.” A single plate is issued to display on the front of the vehicle.

A vehicle that qualifies for a Log Loader license plate is exempt from registration fees and from vehicle safety inspection requirements; however, it is subject to the $62.50 license plate fee. A Texas Certificate of Title issued in the applicant's name is not required.

For instructions regarding the disposition of a certificate of title held by the owner of a Log Loader vehicle, refer to the Title Manual.

Log Loader Plate Applications

The owner of a qualified vehicle may apply for a license plate by submitting a completed *Application for Log Loader License Plate*, **Form VTR-209**, with the fee of $62.50 to a local county tax assessor-collector's office.

- A photograph of the vehicle must accompany the application.
- Once approved, a plate is assigned and a license plate receipt is issued.
- Application must be made in the county in which the owner resides.

Log Loader Plate Refunds

Refunds for Log Loader license plates will not be authorized by the department. Fees are payable for each year or portion of a year, and not prorated or refunded for any unused portion.

If the vehicle is destroyed after making application, an owner may return the plate and license plate receipt to a TxDMV Regional Service Center. A credit fee voucher may be authorized.

Log Loader Plate Renewal

Each year, prior to the plate expiration, owners are mailed a renewal. A new Log Loader plate will be issued at the time of renewal.

To renew a Log Loader plate after the expiration date, the owner must submit the renewal or the previous year's license plate receipt with the prescribed fee. If the owner cannot furnish the renewal or the previous year’s license plate receipt, the owner must complete a new application.

Log Loader Plate Replacement

To replace a Log Loader license plate the owner completes a new application for a new plate.

- The owner pays the fee of $62.50 at the time of application.
- The owner surrenders the current license plate receipt and the remaining plate, if mutilated, to the department for cancellation.

Log Loader license plates are non-transferable from one owner to another owner or from one vehicle to another vehicle.

When selling vehicles, the existing plate becomes invalid and surrendered to the department with the license plate receipt for cancellation.

If the new owner wants to display a Log Loader license plate, the owner must complete an application to apply for a new plate.

12.8 Forestry Vehicles

Transportation Code, Sec. 504.507. Forestry Vehicles.

(a) The department shall issue specialty license plates for forestry vehicles. License plates issued under this section must include the words "Forestry Vehicle."

(b) There is no fee for issuance of the license plates. The department shall:

(1) collect any fee that a county imposes under this chapter for registration of a forestry vehicle; and

(2) send the fee to the appropriate county for disposition.

Transportation Code, Sec. 502.001

(17) "forestry vehicle" means a vehicle designed and used exclusively for transporting forest products in their natural state, including logs, debarked logs, untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark, wood shavings, and property used in production of those products.

According to provisions of the International Registration Plan, this is a restricted license plate. Vehicles displaying a Forestry Vehicle license plate have interstate registration reciprocity when operating into or through other jurisdictions.

Forestry Vehicle license plates are single plates with the word FORESTRY depicted. The plate is displayed on the front of the vehicle.

There is no specialty plate fee for Forestry Vehicle license plate.

- Collect registration fees based on the gross vehicle weight at the time of plate application.
- The department collects all fees, including local fees. Local fees are forwarded to the appropriate county for disposition.

Plate Application

Applications for Forestry Vehicle license plates are processed at any TxDMV Regional Service Center.

The owner of a qualified vehicle may apply for a license plate by submitting to the department a completed *Application for Forestry Vehicle License Plate(s)*, **Form VTR-211**, with all applicable fees, and proof of liability insurance.

Forestry vehicles with a gross registration weight of 55,000 lbs. or more are subject to compliance with Federal Heavy Vehicle Use Tax requirements. If a customer applies for title for a forestry vehicle:

- The county deputy will process the application for title and issue a title application receipt.
- Collect the title application fee and the appropriate tax. Do not collect any type of registration fee or issue any registration receipts with this type of transaction.
- Advise the applicant to contact the nearest TxDMV Regional Service Center to apply for a Forestry Vehicle license plate.
- If the vehicle must operate prior to the receipt of the license plate, advise the registrant to purchase a temporary registration (72-Hour or 144-Hour Permit). These permits are not valid outside of Texas.
- Forestry vehicles that are leased may display the plate if the TxDMV Regional Service Center verifies the lease agreement.

Once approved, the TxDMV Regional Service Center will:

- Collect the appropriate registration fee.
- Issue the plate and receipt to the applicant.
- Forward a copy of the application and receipt to the Specialty Plates Section.

If current registration is displayed on the vehicle, the applicant may request a refund (for double registration) on the unused portion of the registration fee.

If an applicant wants to obtain Forestry Vehicle license plates for additional vehicles, a separate application must be submitted for each plate requested.

Vehicles displaying Forestry license plates must be registered for the combined gross weight of the truck and the trailer therefore, the trailer will display Token Trailer license plates.

Plate Renewals

The department mails renewals to vehicle owners who have current Forestry Vehicle license plates. These renewals indicate the appropriate fees (registration fee, $2 cab card fee and applicable local fees).

Upon return of the completed renewal form, proof of insurance and other documents as required, the department will prepare a billing statement for the applicant. The applicant obtains the plate(s) by presenting the statement to the appropriate TxDMV Regional Service Center with payment.

Plate Replacements

If Forestry Vehicle license plates are lost, stolen, or mutilated, owners may secure replacement Forestry Vehicle license plates from any TxDMV Regional Service Center for $6 plus any additional fees.

- Make application for a replacement license plate using *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**, or by letter. The regional service center issues replacement plates.
- Advise the owner to surrender the current registration receipt and any remaining plate to the department for cancellation. The regional service center forwards a copy of the replacement application and the supplemental application to the Specialty Plates Section to update the automated file.

Plate Transfers Not Allowed

Forestry Vehicle license plates are non-transferable from one owner to another owner or from one vehicle to another vehicle.

- If a vehicle is sold, the existing plate becomes invalid and surrendered with the registration receipt to the department for cancellation.
- If the buyer of the vehicle wants to display Forestry Vehicle license plates, they must complete an application, **Form VTR-211**, and apply for a new plate.
- A replacement license plate will not be issued when the vehicle has been sold.

12.9 Other Vehicles

Transportation Code, Sec. 502.143. Other Vehicles.

An owner may not register the following vehicles for operation on a public highway:

(1) power sweepers;

(2) motorized mobility devices;

(3) electric personal assistive mobility devices; and

(4) electric bicycles.

12.10 Oil Well Servicing and Drilling Machinery

Permit License Plates

Transportation Code, Sec. 623.141. Optional Procedure.

This subchapter provides an optional procedure for the issuance of a permit for the movement of oversize or overweight oil well servicing or oil well drilling machinery and equipment.

Transportation Code, Sec. 623.149. Determination Whether Vehicle Subject to Registration or Eligible for Distinguishing License Plate.

(a) The department may establish criteria to determine whether oil well servicing, oil well clean out, or oil well drilling machinery or equipment is subject to registration under Chapter 502 or eligible for the distinguishing license plate provided by Section 502.146.

(b) Notwithstanding Subsection (a), a vehicle authorized by the department before August 22, 1963, to operate without registration under Chapter 502 may not be required to register under that chapter.

(c) In this section, "oil well servicing, oil well clean out, or oil well drilling machinery or equipment" means a vehicle constructed as a machine used solely for servicing, cleaning out, or drilling an oil well and consisting in general of a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for one or more of those purposes.

Oversize or Overweight Vehicles

Oversize, overweight, or overaxle vehicles may qualify for a special distinguishing $5 Permit license plate. These vehicle types include:

- An oil well clean-out unit, oil well drilling unit, or oil well swabbing unit, which is mobile equipment, either self-propelled or trailer-mounted, constructed as a machine used solely for cleaning-out, drilling, servicing, or swabbing oil wells, and consisting in general of, but not limited to, a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for this purpose.
- A vehicle that is a piece of fixed-load mobile machinery or equipment required to obtain an additional permit through the Motor Carrier Division under Section 623.142 of the Transportation Code.
- A mobile crane is a self-propelled vehicle constructed solely to raise, shift, or lower heavy weights by means of a projecting, swinging mast on a chassis constructed for such purposes.
- The operation of such vehicle is prohibited on the highways unless the owner also has a special time or trip permit. The Motor Carrier Division issues time and trip permits and may be reached at 1-800-299-1700.
- Vehicles issued Permit license plates are exempted from the Certificate of Title Act.
- Liens should be recorded through the Uniform Commercial Code Section of the Secretary of State's office.
- Oil well servicing vehicles that are not oversize should be registered with regular commercial registration and should be titled.

Application

Permit license plates are license plates issued on a staggered basis. The customer must submit an *Application for a Permit License Plate for Oil Well Unit/Mobile Crane,* **Form VTR-67.**

- A current photograph of the vehicle and proof of a current OS/OW permit issued under Section 623.142 of the Transportation Code must accompany the **Form VTR-67.** The notation "APPVTR" (application through VTR) must be listed in the license plate field on the permit. The application and copy of the permit is submitted to the Vehicle Titles and Registration Division in Austin or a TxDMV Regional Service Center.
- Upon application approval, it is returned to the applicant advising the owner to contact the county tax assessor-collector to obtain the $5 Permit license plate. A copy of the OS/OW Permit must be submitted for the county to verify the permit is current and the notation "APPVTR" is listed in the license plate field on the permit.
- Permit license plates are not transferable. The new owner must apply for a new Permit plate and surrender the old Permit license plates belonging to the previous owner to the county tax office for disposal.
- If a vehicle is currently registered with registration and want to exchange for Permit plates, no refunds will be given.

Renewal

Each year the department mails a registration renewal notice to each vehicle owner with a current Permit license plate. To renew the plates, the owner must present the renewal to the county tax office with a copy of the current OS/OW permit and proper fee. The Permit license plate number must be listed in the plate number field on the permit.

Replacement

If a Permit license plate is lost, stolen, or mutilated, a replacement plate is issued for the fee of $6 if the owner completes an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker,* **Form VTR-60**.

If the owner cannot provide proof of registration and the current registration is unverifiable, the owner must complete a new application, **Form VTR-67** and reapply for a Permit license plate.

Penalties

Vehicles displaying current Permit license plates, apprehended while operating without the additional time or trip permit as provided in Transportation Code Chapter 623, or vehicles apprehended while operating unregistered are subject to commercial registration fees according to classification. The vehicle must be registered for 12 months from the time of apprehension plus a 20% penalty.

12.11 Registration of Vehicle

Transportation Code, Sec. 623.144. Registration of Vehicle.

(a) A person may not operate a vehicle permitted under this subchapter on a public highway unless the vehicle is registered under Chapter 502 for the maximum gross weight applicable to the vehicle under Section 621.101 or has specialty license plates as provided by Section 502.146 if applicable to the vehicle.

(b) The department may not issue specialty license plates to a vehicle described by Section 502.146(b)(3) unless the applicant complies with the requirements of that subsection.

12.12 Vehicles Subject to Registration or Eligible for Distinguishing License Plates

Transportation Code, Sec. 623.149. Determination Whether Vehicle Subject to Registration or Eligible for Distinguishing license plate.

(a) The department may establish criteria to determine whether oil well servicing, oil well clean out, or oil well drilling machinery or equipment is subject to registration under Chapter 502 or eligible for the distinguishing license plate provided by Section 502.146.

(b) Notwithstanding Subsection (a), a vehicle authorized by the department before August 22, 1963, to operate without registration under Chapter 502 may not be required to register under that chapter.

(c) In this section, "oil well servicing, oil well clean out, or oil well drilling machinery or equipment" means a vehicle constructed as a machine used solely for servicing, cleaning out, or drilling an oil well and consisting in general of a mast, an engine for power, a draw works, and a chassis permanently constructed or assembled for one or more of those purposes.

Drilling and Construction Equipment

Transportation Code, Sec. 502.146. Certain Farm Vehicles and Drilling and Construction Equipment.

(a) The department shall issue specialty license plates to a vehicle described by Subsection (b) or (c). The fee for the license plates is $5 and shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1035] An owner is not required to register a vehicle that is used only temporarily on the highways if the vehicle is:

(1) a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used exclusively:

(A) to transport seasonally harvested agricultural products or livestock from the place of production to the place of processing, market, or storage;

(B) to transport farm supplies from the place of loading to the farm; or

(C) for the purpose of participating in equine activities or attending livestock shows, as defined by Section 87.001, Civil Practice and Remedies Code;

(2) machinery used exclusively for drilling water wells; or

(3) construction machinery that is not designed to transport persons or property on a public highway.

(b) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1296] An owner is not required to register a vehicle that is used only temporarily on the highways if the vehicle is:

(1) a farm trailer or farm semitrailer with a gross weight of more than 4,000 pounds but not more than 34,000 pounds that is used exclusively to transport:

(A) seasonally harvested agricultural products or livestock from the place of production to the place of processing, market, or storage; or

(B) farm supplies from the place of loading to the farm;

(2) machinery used exclusively for drilling water wells;

(3) oil well servicing or drilling machinery and if at the time of obtaining the license plates, the applicant submits proof that the applicant has a permit under Section 623.142; or

(4) construction machinery.

(c) An owner is not required to register a vehicle that is:

(1) a farm trailer or farm semitrailer owned by a cotton gin and used exclusively to transport agricultural products without charge from the place of production to the place of processing, market, or storage;

(2) a trailer used exclusively to transport fertilizer without charge from a place of supply or storage to a farm; or

(3) a trailer used exclusively to transport cottonseed without charge from a place of supply or storage to a farm or place of processing.

(d) A vehicle described by Subsection (b) is exempt from the inspection requirements of Subchapters B and F, Chapter 548.

(e) This section does not apply to a farm trailer or farm semitrailer that:

(1) is used for hire;

(2) has metal tires operating in contact with the highway;

(3) is not equipped with an adequate hitch pinned or locked so that it will remain securely engaged to the towing vehicle while in motion; or

(4) is not operated and equipped in compliance with all other law.

(f) A vehicle to which this section applies that is operated on a public highway in violation of this section is considered to be operated while unregistered and is immediately subject to the applicable registration fees and penalties prescribed by this chapter.

(g) In this section, the gross weight of a trailer or semitrailer is the combined weight of the vehicle and the load carried on the highway.

(h) A specialty license plate may not be issued under Subsection (a) to an owner of a vehicle described by Subsection (b)(1) unless the vehicle's owner provides a registration number issued by the comptroller under Section 151.1551, Tax Code. The comptroller shall allow access to the online system established under Section 151.1551(l), Tax Code, to verify a registration number provided under this subsection.

Note: Applicants for Farm license plates for Farm Trailer/Semitrailer must present a current Texas Agricultural or Timber Exemption Registration Number issued by the Texas Comptroller of Public Accounts. Please see Farm Vehicles in Ch. 7 under Farm Trailers and Semitrailers for more information.

Machinery License Plates

Machinery license plates may be issued to the following:

Water Well Vehicles

Every truck or trailer, whether conventional or unconventional, which has mounted machinery used exclusively for drilling water wells may qualify for a Machinery license plate.

In addition to the drilling units, various other servicing units associated with water well drilling operations may qualify for Machinery license plates. The affiliated servicing units that are eligible for Machinery license plates include:

- Pump pulling and pump setting units used to lower or raise submergible water pumps at well sites. Additionally, this type of unit is occasionally used to pull well casing and is used at times for cleanout purposes.
- Bailing units used exclusively for cleaning out water wells. This type of unit operates by lowering a bailing projectile - a long, cylindrical tube - into the well. As the projectile lowers, a trap valve located on the end of the tube opens taking in mud and slush. The bailing unit then raises the projectile containing the settlements from the well.
- Mud pumps, generally used in conjunction with drilling units to pump, mud and slush into and from the well site during the drilling operation. Such units may or may not qualify for the Machinery license plate, depending upon the construction of the unit.
  - A mud pump, built from the ground up as a machine, is eligible.
  - A conventional vehicle with a mounted mud pump is not eligible for the $5 Machinery license plate and registers with regular license plates.
- Owners must hold a water well drilling or pumping license from the Texas Department of Licensing and Regulation to qualify for a Machinery license plate unless they furnish an affidavit stating that they work under the direct supervision of a registered water well driller. The affidavit must state the name of the registered water well driller.
- Water well driller "apprentices" may qualify for Machinery license plates.

- Water well driller "trainees" may qualify for Machinery license plates provided they provide a copy of their approved application, and the completed *Application for the Registration of Water Well Drilling or Construction Machinery,* **Form VTR-77**.
- Other applicants who are not licensed drillers may qualify for Machinery license plates if a licensed driller or a trainee operates the vehicle. An affidavit of fact explaining the circumstances must accompany the application.

There are various other vehicles associated with water well drilling that do **not** qualify for the $5 Machinery license plate and must be registered with registration. Included in this group of vehicles are:

- Water tank trucks or trailers,
- Trucks or trailers used in transporting drill stem pipe,
- Truck or trailer mounted tool houses, and
- Truck-tractors used in combination with machinery licensed semitrailers on which water well drilling machinery is mounted. The exemption from registration fees applies only to the vehicle on which the machinery is mounted; therefore:
  - Truck-tractors used in combination with a machinery licensed semitrailer are registered with Truck plates for the empty weight plus that portion of the weight of the semitrailer and its load that rests upon the truck-tractor.
  - The registered weight is never less than the empty weight of the truck-tractor plus the minimum carrying capacity.

Construction Machinery

Under Transportation Code, Sec. 502.146, Construction machinery must meet certain criteria to qualify for the Machinery license plate.

Construction machinery as defined in Transportation Code Sec. 502.001(8) (see Definitions) means a vehicle that:

- is used for construction,
- is built from the ground up,
- is not mounted or affixed to another vehicle such as a trailer,
- was originally and permanently designed as machinery, and
- was not in any way originally designed to transport persons or property; does not carry a load, including fuel, or tow another vehicle.

Machinery vehicles are designed for special construction purposes.

Forklift

Front end loader

Examples are:

- Motor graders,
- Tractor scrapers,
- Tractors with front end loaders,
- Welding machines,
- Frac Tanks (unless oversized),
  - May obtain a Permit license plate if any single axle regardless of size exceeds 25,000 lbs.
- Forklifts, and
- Motor cranes and draglines, built from the ground up as construction machinery.
  - The mounting of motor cranes, draglines, or any other machinery, regardless of its type, upon a conventional-type truck, trailer, or semitrailer does not qualify such vehicle for a machinery plate and must be registered according to vehicle classification and weight.

The issuance of Machinery license plates is further restricted to only those unconventional vehicles equipped with pneumatic or solid rubber tires. Although track laying or metal-wheeled machinery type vehicles are generally considered unconventional, the issuance of the Machinery license plate to such vehicles is not allowed because the movement of such vehicles on the public highways of this state is prohibited.

A truck-tractor used in combination only with a machinery plated vehicle should be registered with Truck license plates If the truck also pulls semitrailers with gross weights in excess of 6,000 lbs. then it must be registered with combination license plates for the heaviest load being carried during the registration year.

Since the exemption from registration fees is allowed only on the unconventional vehicles, the truck-tractor is registered for its empty weight plus that portion of the weight of the vehicle and its load that rest upon the truck-tractor.

The registered weight is never less than the empty weight of the truck-tractor plus the minimum carrying capacity.

Note: Road construction equipment (machinery type vehicles) operating laden or unladen within the limits of a project are not required to display the $5 machinery license plate, regardless of the intermingling of regular vehicular traffic. However, conventional commercial vehicles operating within the limits of a project are required to be registered with regular commercial plates whenever traffic is allowed to intermingle. A highway construction project is that section of the highway between the warning signs giving notice of a construction area.

Issuing Machinery License Plates

The procedure for issuing Machinery license plates is as follows:

- A firm or individual making application for the Machinery license plate must complete the *Application for the Registration of Water Well Drilling or Construction Machinery*, **Form VTR-77**. A current photograph of the vehicle must accompany the application. Application can be mailed, faxed, or e-mailed to the TxDMV Regional Service Center or the Specialty Plates Section for approval.
- If approved, the department returns the application to the applicant who then presents it to the county tax assessor-collector to obtain the Machinery plate.
- In cases of extreme necessity the county tax assessor-collector may contact the TxDMV Regional Service Center or the Specialty Plates Section for approval to issue the Machinery license plate prior to the applicant's submission of an application. The county must fax or e-mail the application and picture to either the Specialty Plates Section or their local Regional Service Center.

Machinery license plates are license plates issued on a staggered basis. The “body style” should indicate (CE) for construction equipment. The county tax assessor-collector must retain the application presented by the applicant.

The owner must include a motor or serial number on the application for a Machinery plate. If the machinery has no motor or serial number, then they must obtain an assigned number from the department using **Form VTR- 68-A** or assign their own. The fee for an assigned number is $2.

If a Machinery license plate or registration sticker is lost, stolen, or mutilated, a replacement plate and sticker is issued for a $6 fee, provided the owner completes an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**.

When renewing a Machinery license plate, the applicant must present a registration renewal notice or current registration receipt to the county tax assessor-collector with the fee of $5. If the registration renewal notice or current registration receipt is not available and the previous Machinery license plates cannot be verified, the applicant must complete a new application, **Form VTR-77**, and reapply for a Machinery license plate.

Vehicles qualified for Machinery plates are exempt from registration fees and are exempt from the Certificate of Title Act. Application for certificate of title should not be accepted if applying for Machinery license plates on water well drilling or construction equipment.

Transfer of Machinery License Plates

Water well drilling equipment is transferable from one owner to another by using the registration receipt and a bill of sale if:

- The buyer completes the application, **Form VTR-77** and is registered with the Texas Department of Licensing and Regulation.
- If the buyer is not registered with the Texas Department of Licensing and Regulation and cannot furnish the affidavit stating that they are working under the direct supervision of a licensed water well driller, the buyer must surrender the Machinery license plate, obtain registration and apply for a certificate of title.
- Credit is not allowed for the surrendered Machinery license plate.

Construction equipment is transferable from one owner to another by using the registration receipt and a bill of sale if the buyer completes the application, **Form VTR-77.**

Restriction

When **temporarily** moved upon the highways, there is no width or length restrictions for vehicles on which water well drilling equipment is mounted, as well as vehicles with road construction and maintenance machinery.

A slow moving vehicle must display a “Slow Moving Vehicle” emblem. A slow moving vehicle is any motor vehicle designed to operate at a maximum speed of 25 miles per hour or less. The term includes all vehicles, implements of husbandry and other machinery, including all road construction machinery, while being drawn by animals or by a motor vehicle designed to operate at a maximum speed of 25 miles per hour or less.

The term “Slow Moving Vehicle” emblem means a triangular emblem, conforming to the size, color, standards, and specifications as adopted by the Department of Public Safety.

Chapter 13

OFFENSES AND PENALTIES

This chapter contains the following sections:

- ***13.1*** General Penalty
- ***13.2*** Improperly Registered Vehicles
- ***13.3*** Vehicles without Registration Insignia
- ***13.4*** Expired License Plates
- ***13.5*** Vehicles with Wrong License Plates
- ***13.6*** Wrong, Fictitious, or Unreadable Plates
- ***13.7*** Falsification or Forgery
- ***13.8*** Bribery of County Officer
- ***13.9*** County Assessor-Collector Violations
- ***13.10*** Driver's License and Vehicle Registration Suspension

13.1 General Penalty

Transportation Code, Sec. 520.016. General Penalty.

(a) A person commits an offense if the person violates this subchapter in a manner for which a specific penalty is not provided.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than $50 and not more than $200.

(c) This section does not apply to a violation of Section 520.006 or a rule adopted under Section 520.0071.

Transportation Code, Sec. 502.471. General Penalty.

(a) A person commits an offense if the person violates a provision of this chapter and no other penalty is prescribed for the violation.

(b) This section does not apply to a violation of Section 502.003, 502.042, 502.197, or 502.431.

(c) Unless otherwise specified, an offense under this section is a misdemeanor punishable by a fine not to exceed $200.

13.2 Improperly Registered Vehicles

Transportation Code, Sec. 502.472. Operation of Vehicle Under Improper Registration.

A person commits an offense if the person operates a motor vehicle that has not been registered or registered for a class other than that to which the vehicle belongs as required by law.

Examples of Registration Violations

- A vehicle operated with license plates purchased by the owner in a county other than the county of his residence.
- A vehicle operated without license plates.
- A vehicle operated with expired license plates.
- A vehicle owned by a Texas resident operated while displaying out-of-state license plates, unless the vehicle is titled under Transportation Code, Sec. 502.090. Effect of Certain Military Service on Registration Requirement., which allows 90 days after the owner returns to Texas before registration.
- A vehicle operated with fictitious or stolen license plates.

Valid Reasons for Violations

If there is a valid reason for the delinquent registration, the vehicle is registered for 12 months from the time of application, establishing a new registration expiration month. No penalty is assessed.

If there is **not** a valid reason for the delinquent registration, the vehicle is registered for 12 months without establishing a new registration period. (No penalty is charged unless apprehended.)

Valid reasons may include:

- extensive repairs on the vehicle,
- the person was out of the country,
- the vehicle is used only for seasonal use,
- military orders,
- storage of the vehicle,
- a medical condition such as an extended hospital stay, and
- any other reason submitted with evidence that the county tax assessor-collector determines is valid.

Note: If a person is claiming a medical reason for late registration, you can ask for verification (i.e. hospital bill). Providing proof is voluntary and the person has the right to redact information as they deem necessary.

Apprehensions

If the operator of an unregistered Texas titled vehicle is apprehended (issued a ticket for driving with expired registration), the operator must register for a 12-month period without change to the initial month of registration and pay a penalty of 20% in addition to the regular registration fees.

13.3 Vehicles without Registration Insignia

Transportation Code, Sec. 502.473. Operation of Vehicle Without Registration Insignia.

(a) A person commits an offense if the person operates on a public highway during a registration period a motor vehicle that does not properly display the registration insignia issued by the department that establishes that the license plates have been validated for the period.

(b) A person commits an offense if the person operates on a public highway during a registration period a road tractor, motorcycle, trailer, or semitrailer that does not display a registration insignia issued by the department that establishes that the vehicle is registered for the period.

(c) This section does not apply to a dealer operating a vehicle as provided by law.

(d) A court may dismiss a charge brought under Subsection (a) if the defendant pays an administrative fee not to exceed $10 and:

(1) remedies the defect before the defendant's first court appearance; or

(2) shows that the motor vehicle was issued a registration insignia by the department that was attached to the motor vehicle, establishing that the vehicle was registered for the period during which the offense was committed.

Wrong, Fictitious, or Unreadable Registration Insignia

Transportation Code, Sec. 502.475. Wrong, Fictitious, Altered, or Obscured Insignia.

(a) A person commits an offense if the person attaches to or displays on a motor vehicle a registration insignia that:

(1) is assigned to a different motor vehicle;

(2) is assigned to the vehicle under any other motor vehicle law other than by the department;

(3) is assigned for a registration period other than the registration period in effect; or

(4) is fictitious.

(b) Except as provided by Subsection (d), an offense under Subsection (a) is a misdemeanor punishable by a fine of not more than $200, unless it is shown at the trial of the offense that the owner knowingly altered or made illegible the letters, numbers, and other identification marks, in which case the offense is a Class B misdemeanor.

(c) A court may dismiss a charge brought under Subsection (a)(3) if the defendant:

(1) remedies the defect before the defendant's first court appearance; and

(2) pays an administrative fee not to exceed $10.

(d) An offense under Subsection (a)(4) is a Class B misdemeanor.

Deceptively Similar Insignia

Transportation Code, Sec. 502.4755. Deceptively Similar Insignia.

(a) A person commits an offense if the person:

(1) manufactures, sells or possesses a registration insignia deceptively similar to the registration insignia of the department; or

(2) makes a copy or likeness of an insignia deceptively similar to the registration insignia of the department with intent to sell the copy or likeness.

(b) For the purpose of this section, an insignia is deceptively similar to the registration insignia of the department if the insignia is not prescribed by the department but a reasonable person would presume that it was prescribed by the department.

(c) A district or county court, on application of the attorney general or of the district attorney or prosecuting attorney performing the duties of the district attorney for the district in which the court is located, may enjoin a violation or threatened violation of this section on a showing that a violation has occurred or is likely to occur.

(d) It is an affirmative defense to a prosecution under this section that the insignia was produced pursuant to a licensing agreement with the department.

(e) An offense under this section is:

(1) a felony of the third degree if the person manufactures or sells a deceptively similar registration insignia; or

(2) a Class C misdemeanor if the person possesses a deceptively similar registration insignia, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subdivision.

Vehicles without License Plates

Transportation Code, Sec. 504.943. Operation Of Vehicle Without License Plate.

(a) Except as provided by Subsection (b), a person commits an offense if the person operates on a public highway, during a registration period, a motor vehicle that does not display two license plates that:

(1) have been assigned by the department for the period; and

(2) comply with department rules regarding the placement of license plates.

(b) A person commits an offense if the person operates on a public highway during a registration period a road tractor, motorcycle, trailer, or semitrailer that does not display a license plate that:

(1) has been assigned by the department for the period; and

(2) complies with department rules regarding the placement of license plates.

(c) This section does not apply to a dealer operating a vehicle as provided by law.

(d) A court may dismiss a charge brought under Subsection (a)(1) if the defendant:

(1) remedies the defect before the defendant's first court appearance; and

(2) pays an administrative fee not to exceed $10.

(e) An offense under this section is a misdemeanor punishable by a fine not to exceed $200.

13.4 Expired License Plates

Transportation Code, Sec. 502.407. Operation of Vehicle With Expired License Plate.

(a) A person commits an offense if, after the fifth working day after the date the registration for the vehicle expires:

(1) the person operates on a public highway during a registration period a motor vehicle, trailer, or semitrailer that has attached to it a license plate for the preceding period; and

(2) the license plate has not been validated by the attachment of a registration insignia for the registration period in effect.

(b) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge of driving with an expired motor vehicle registration if the defendant:

(A) remedies the defect not later than the 20th working day after the date of the offense or before the defendant's first court appearance date, whichever is later; and

(B) establishes that the fee prescribed by Section 502.045 has been paid; and

(2) assess an administrative fee not to exceed $20 when the charge is dismissed.

Five Day Grace Period

Owners may operate a vehicle for five working days after the date the registration expires.

Penalty Fee(s)

Any person apprehended for operating an unregistered vehicle or a vehicle with expired registration is subject to a fine not to exceed $200. In addition, they must purchase Texas registration and pay a penalty equal to 20% of the prescribed fee.

Unregistered or Expired Apprehended Vehicles

The registration fee for unregistered or expired apprehended vehicles:

- is collected for the entire year and the vehicle retains the registration period originally assigned.
- that are new or out-of-state, must be registered from the date of apprehension for a 12-month period inclusive of the registration month.

All Apprehended Vehicles

- A 20% “delinquent registration” penalty is required if a citation is issued by law enforcement.
- Proof of insurance is required.

Out of County

- Texas titled vehicle apprehended out of county with expired registration may be registered in the apprehended county.
- Proof of insurance is required.

Out-of-State Vehicles Apprehended in Texas

- Application for a "Registration Purposes Only" (RPO) is required, unless the out-of-state title is surrendered.
- A safety inspection (and a DPS vehicle identification certificate VI-30) is not required if the applicant's address is out-of-state. However, the applicant must complete a *Statement of Physical Inspection*, **Form VTR-270**.
- Check "VIN Verification Waived" if the applicant does not provide the vehicle identification certificate when applying for an RPO (this will ensure that a renewal will not be sent).
- New Resident tax is due if applying for an RPO on a vehicle titled in another state.

The State Comptroller's office should be consulted regarding tax issues.

DOT Proof Required

This remark indicates that proof of compliance with U.S. Department of Transportation safety regulations is required before title and registration can be issued and prevents the printing and mailing of a registration renewal notice. It is important that this remark be "checked" when processing an RPO transaction involving an apprehended vehicle so that a registration renewal notice will not be printed and mailed to the out-of-state owner.

Since a "hard stop" is not created by the remark, it is important for tax office personnel to view all remarks in the system before completing a renewal for a vehicle with an RPO record. If "DOT Proof Required" is displayed as a remark on an RPO record created as the result of an apprehension, registration is permitted only if the vehicle has been apprehended again.

Title Only Vehicles Apprehended

- County will register the vehicle from date of apprehension for a 12-month period, plus a 20% penalty.
- County will modify the expiration month (if needed) in the system.
- If the vehicle has been apprehended, a self certification as to the correct VIN may be acceptable in lieu of the *Out-of-state Identification Certificate*, **Form VI-30**, provided an out-of-state address is shown on the **Form VTR-272**. (Refer to Transportation Code, Sec. 501.030.) In addition, an officer of the Department of Public Safety may waive the requirement of a weight certificate.

13.5 Vehicles with Wrong License Plates

Transportation Code, Sec. 504.944. Operation of Vehicle with Wrong License Plate.

A person commits an offense if the person operates, or as the owner permits another to operate, on a public highway a motor vehicle that has attached to it a number plate or registration insignia issued for a different vehicle. An offense under this section is a misdemeanor punishable by a fine not to exceed $200.

13.6 Wrong, Fictitious, or Unreadable Plates

Transportation Code, Sec. 504.945. Wrong, Fictitious, Altered, or Obscured License Plate.

(a) A person commits an offense if the person attaches to or displays on a motor vehicle a license plate that:

(1) is issued for a different motor vehicle;

(2) is issued for the vehicle under any other motor vehicle law other than by the department;

(3) is assigned for a registration period other than the registration period in effect;

(4) is fictitious;

(5) has blurring or reflective matter that significantly impairs the readability of the name of the state in which the vehicle is registered or the letters or numbers of the license plate number at any time;

(6) has an attached illuminated device or sticker, decal, emblem, or other insignia that is not authorized by law and that interferes with the readability of the letters or numbers of the license plate number or the name of the state in which the vehicle is registered; or

(7) has a coating, covering, protective substance, or other material that:

(A) distorts angular visibility or detectability;

(B) alters or obscures one-half or more of the name of the state in which the vehicle is registered; or

(C) alters or obscures the letters or numbers of the license plate number or the color of the plate.

(b) Except as provided by Subsection (e), an offense under Subsection (a) is a misdemeanor punishable by a fine of not more than $200, unless it is shown at the trial of the offense that the owner knowingly altered or made illegible the letters, numbers, and other identification marks, in which case the offense is a Class B misdemeanor.

(c) Subsection (a)(7) may not be construed to apply to:

(1) a trailer hitch installed on a vehicle in a normal or customary manner;

(2) a transponder, as defined by Section 228.057, that is attached to a vehicle in the manner required by the issuing authority;

(3) a wheelchair lift or wheelchair carrier that is attached to a vehicle in a normal or customary manner;

(4) a trailer being towed by a vehicle; or

(5) a bicycle or motorcycle rack that is attached to a vehicle in a normal or customary manner.

(d) A court may dismiss a charge brought under Subsection (a)(3), (5), (6), or (7) if the defendant:

(1) remedies the defect before the defendant's first court appearance;

(2) pays an administrative fee not to exceed $10; and

(3) shows that the vehicle was issued a plate by the department that was attached to the vehicle, establishing that the vehicle was registered for the period during which the offense was committed.

(e) An offense under Subsection (a)(4) is a Class B misdemeanor.

Deceptively Similar License Plate

Transportation Code, Sec. 504.946. Deceptively Similar License Plate.

(a) A person commits an offense if the person:

(1) manufactures, sells, or possesses a license plate deceptively similar to a license plate issued by the department; or

(2) makes a copy or likeness of a license plate deceptively similar to a license plate issued by the department with intent to sell the copy or likeness.

(b) For the purposes of this section, a license plate is deceptively similar to a license plate issued by the department if it is not prescribed by the department but a reasonable person would presume that it was prescribed by the department.

(c) A district or county court, on application of the attorney general or of the district attorney or prosecuting attorney performing the duties of the district attorney for the district in which the court is located, may enjoin a violation or threatened violation of this section on a showing that a violation has occurred or is likely to occur.

(d) It is an affirmative defense to a prosecution under this section that the license plate was produced pursuant to a licensing agreement with the department.

(e) An offense under this section is:

(1) a felony of the third degree if the person manufactures or sells a deceptively similar license plate; or

(2) a Class C misdemeanor if the person possesses a deceptively similar license plate, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subdivision.

13.7 Falsification or Forgery

Transportation Code, Sec. 502.410. Falsification or Forgery.

(a) A person commits an offense if the person knowingly provides false or incorrect information or without legal authority signs the name of another person on a statement or application filed or given as required by this chapter.

(b) Subsection (a) does not apply to a statement or application filed or given under Section 502.060, 502.092, 502.093, 502.094, 502.095, 504.201, 504.508, or 504.515.

(c) An offense under this section is a felony of the third degree.

13.8 Bribery of County Officer

Transportation Code, Sec. 502.411. Bribery of County Officer or Agent.

(a) A person commits an offense if the person directly or indirectly agrees with the commissioners court of a county or an officer or agent of the commissioners court or county that the person will register or cause to be registered a motor vehicle, trailer, or semitrailer in that county in consideration of:

(1) the use by the county of the funds derived from the registration in the purchase of property; or

(2) an act to be performed by the commissioners court or an agent or officer of the commissioners court or the county.

(b) The registration of each separate vehicle in violation of Subsection (a) is a separate offense. The agreement or conspiracy to register is a separate offense.

(c) A person who makes or seeks to make an agreement prohibited by Subsection (a) shall be restrained by injunction on application by the district or county attorney of the county in which the vehicle is registered or the attorney general.

(d) An offense under this section is punishable in the same manner as an offense under Section 36.02, Penal Code.

13.9 County Assessor-Collector Violations

Transportation Code, Sec. 502.480. Violation by County Assessor-Collector; Penalty.

(a) A county assessor-collector commits an offense if the county assessor-collector knowingly accepts an application for the registration of a motor vehicle that:

(1) has had the original motor number or vehicle identification number removed, erased, or destroyed; and

(2) does not bear a motor number or vehicle identification number assigned by the department.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than $10 and not more than $50.

13.10 Driver’s License and Vehicle Registration Suspension

Transportation Code, Sec. 601.152. Suspension of Driver's License and Vehicle Registration or Privilege.

(a) Subject to Section 601.153, the department shall suspend the driver's license and vehicle registrations of the owner and operator of a motor vehicle if:

(1) the vehicle is involved in any manner in an accident; and

(2) the department finds that there is a reasonable probability that a judgment will be rendered against the person as a result of the accident.

(b) If the owner or operator is a nonresident, the department shall suspend the person's nonresident operating privilege and the privilege of use of any motor vehicle owned by the nonresident.

Texas Motor Vehicle Safety Responsibility Act

The Safety Responsibility Act provides that a person cannot legally operate a motor vehicle in Texas without liability insurance coverage. Valid proof of liability insurance coverage must be presented to receive or renew:

- Motor vehicle registration,
- Driver's license, and
- Vehicle safety inspection.

Acceptable evidence of proof may be an original or a photocopy of one of the following:

- a liability insurance card,
- an insurance policy,
- an insurance binder, or
- a certificate of self-insurance.

The Safety Responsibility Act is administered by the Department of Public Safety (DPS). However, this Act is closely related to the Certificate of Title Act because the department maintains the only complete registration and title record database for motor vehicles in the state. These records must be available to record the suspension of registration and title.

If DPS suspends the registration of any motor vehicle, the suspension automatically suspends the title; and the notation “Safety Responsibility Suspension” is recorded on the motor vehicle record.

- If a person purchases a motor vehicle with suspended registration, that person may file an application for title supported by an assigned Texas Certificate of Title, along with a completed *Safety Responsibility Affidavit*, **Form SR39**. This form states they have acquired the vehicle in good faith for their own use and benefit and not for the purpose of aiding the prior registered owner, either directly or indirectly, to defeat the purpose of the Texas Safety Responsibility Act. The safety responsibility case number should be recorded on the form, but the department will not reject the transaction if it is not shown.
- If a motor vehicle on which a suspension has been placed was transferred prior to the date of suspension, an application for title on the vehicle may be accepted provided the title transaction is in proper order.
- Any transfer of a motor vehicle by operation of law (repossession affidavit, court order, affidavit of heirship, sheriff's bill of sale, etc.) will automatically lift the suspension against the motor vehicle.
- An application for corrected certificate of title (no transfer of ownership) may be filed on a motor vehicle that has a Safety Responsibility Suspension against it.
- A Certified Copy of a Texas Certificate of Title may be issued on a suspended vehicle.

If ownership of a motor vehicle with suspended registration is transferred, the applicant may obtain a duplicate registration receipt either from the county in which the vehicle was registered or from the department.

- A request to the department for a duplicate registration receipt should be supported by the papers showing transfer by operation of law, such as a repossession affidavit or an affidavit of heirship, or a *Safety Responsibility Affidavit*, **Form SR39**. When the receipt is issued, the surrendered papers will be returned to the applicant to be provided with the application for title.
- If the current license plates have been removed, the applicant may obtain a set of replacement plates from the county tax-assessor collector (the registration receipt and license plates of any suspended vehicle are required to be surrendered to DPS).

Chapter 14

APPLICATION FOR REGISTRATION

This chapter contains the following sections:

- ***14.1*** General Provisions
- ***14.2*** Application for Registration and Certain Permits
- ***14.3*** Title Required for Registration
- ***14.4*** Initial Registration
- ***14.5*** Transfer of Registration
- ***14.6*** Registration Year
- ***14.7*** Owner Designated Registration Periods
- ***14.8*** License Plate or Registration Insignia Issuance
- ***14.9*** Registration Receipt
- ***14.10*** License Plate or Registration Insignia Replacement
- ***14.11*** Unsafe Vehicles
- ***14.12*** Refusal to Register Vehicles (Scofflaws)
- ***14.13*** Military Service on Registration Requirements
- ***14.14*** Active Duty Military Personnel

14.1 General Provisions

Transportation Code, Sec. 502.040. Registration Required; General Rule.

(a) Not more than 30 days after purchasing a vehicle or becoming a resident of this state, the owner of a motor vehicle, trailer, or semitrailer shall apply for the registration of the vehicle for:

(1) each registration year in which the vehicle is used or to be used on a public highway; and

(2) if the vehicle is unregistered for a registration year that has begun and that applies to the vehicle and if the vehicle is used or to be used on a public highway, the remaining portion of that registration year.

(b) The application must be accompanied by personal identification as determined by department rule and made in a manner prescribed by the department:

(1) through the county assessor-collector of the county in which the owner resides;

(2) if the county in which the owner resides has been declared by the governor as a disaster area, through the county assessor-collector of a county that is one of the closest unaffected counties to a county that asks for assistance and:

(A) continues to be declared by the governor as a disaster area because the county has been rendered inoperable by the disaster; and

(B) is inoperable for a protracted period of time; or

(3) if the county assessor-collector's office in which the owner resides is closed for a protracted period of time as defined by the department, to the county assessor-collector of a county that borders the county in which the owner resides who agrees to accept the application.

(c) A provision of this chapter that conflicts with this section prevails over this section to the extent of the conflict.

(d) A county assessor-collector, a deputy county assessor-collector, or a person acting on behalf of a county assessor-collector is not liable to any person for:

(1) refusing to register a vehicle because of the person's failure to submit evidence of residency that complies with the department's rules; or

(2) registering a vehicle under this section.

Owner Definitions

Owner

"Owner" means the person who holds legal title to the vehicle or, for registration purposes, that person who has the legal right of possession or legal right of control of such vehicle.

If the vehicle is subject to a lien, the lienholder is considered the legal owner; or if the vehicle is free and clear of all liens, the person who is named on the title is the legal owner.

Legal Right of Possession

The terms "legal right of possession" and "legal right of control" mean something more than the actual physical possession by an agent or servant. The terms imply such possession or control to be with a degree of permanency throughout the greater part of the registration year and not merely temporary possession. (Attorney General's Opinion No. 0-2105)

A person who can be classified as having either legal right of possession or legal right of control would be one who could be entrusted with the vehicle's care. The terms would preclude a person who has only the physical control of a motor vehicle, but would include a person who has all rights in the motor vehicle as to its control, operation, use, and management, but who does not have legal title.

- A local ticket agent of a bus company would not have legal right of possession or legal right of control over the buses. The exception to this would be where by some instrument in the form of a lease or bailment said ticket agent would be given such legal right of control or legal right of possession. In this connection however, such an instrument drawn up for the purpose of evasion of the motor vehicle registration law would not of itself suffice to make such person the owner within the meaning of the registration statute.
- The same rule that applies to a local agent of a bus company would also be applicable to the local agent of a freight line. However, the local agent of a freight line would be considered an owner for registration purposes, of vehicles permanently stationed in his county over which he is given legal right of control or legal right of possession.

- A district or branch manager of an oil refining company or wholesale grocery chain could be an owner for his company for the vehicles definitely assigned to that district or branch for registration purposes.

Leased Vehicles

The lessor's name (person or firm who actually owns the vehicle) must be shown in the name of owner space on the registration receipt. To enable the leasing company to receive the negotiable title yet allow the lessee to receive all subsequent registration renewal notices, the name and address of the lessee may be shown in Box 14c (Registrant's Name, Renewal Notice Recipient) on the *Application for Texas Titl*e, **Form 130-U**.

Either the lessor or lessee may renew Texas registration, provided the renewal is filed in the county of residence of the applicant.

When a vehicle has been leased, it is not necessary for the party applying for registration to present the lease agreement.

The registration of a company owned vehicle in the possession and control of an employee of such company is accomplished in the same manner as leased vehicles.

Obtaining a Negotiable Certificate of Title without Texas Registration (Title Only)

Transportation Code, Sec. 501.0275 Issuance of Title for Unregistered Vehicle, allows an applicant to obtain a negotiable certificate of title without obtaining Texas registration.

- The applicant must complete the *Application for Title Only,* **Form VTR-131** before issuance of a title without registration.
- Do not issue title without registration if the vehicle record contains a notation indicating suspension or revocation. Advise applicants that the suspension or revocation must be cleared before issuance of a title without registration.
- No proof of insurance is required at the time of application for title without registration.
- Vehicle inspection is not required for vehicles issued a title without registration under Transportation Code, Section 548.052.

Salvage or Nonrepairable Vehicles

A salvage or nonrepairable vehicle may not be operated on the public roads. Any existing registration on a vehicle becomes invalid upon notification by the insurance company or the owner voluntarily designates the vehicle as a salvage or non-repairable vehicle. Any vehicle issued a salvage or nonrepairable vehicle title prior to September 1, 2003, may be issued a regular certificate of title if it has been repaired, rebuilt, or reconstructed by a person described by Transportation Code, Section 501.104(a) and has passed a state safety inspection. The new title will reflect the remark of “Rebuilt Salvage.”

A vehicle issued a nonrepairable vehicle title on or after September 1, 2003, may not be rebuilt or retitled, and may not be issued any form of registration.

14.2 Application for Registration and Certain Permits

Transportation Code, Sec. 502.043. Application for Registration and Certain Permits.

(a) An application for vehicle registration or a permit described by Section 502.094 or 502.095 must:

(1) be made in a manner prescribed and include the information required by the department by rule; and

(2) contain a the full description of the vehicle as required by department rule;

(b) The department shall deny the registration of or permitting under Section 502.094 or 502.095 of a commercial motor vehicle, truck-tractor, trailer, or semitrailer if the applicant:

(1) has a business operated, managed, or otherwise controlled or affiliated with a person who is ineligible for registration or whose privilege to operate has been suspended, including the applicant entity, a relative, a family member, a corporate officer, or a shareholder;

(2) has a vehicle that has been prohibited from operating by the Federal Motor Carrier Safety Administration for safety-related reasons;

(3) is a carrier whose business is operated, managed, or otherwise controlled or affiliated with a person who is ineligible for registration, including the owner, a relative, a family member, a corporate officer, or a shareholder; or

(4) fails to deliver to the county assessor-collector proof of the weight of the vehicle, the maximum load to be carried on the vehicle, and the gross weight for which the vehicle is to be registered.

(c) In lieu of filing an application during a year as provided by Subsection (a), the owner of a vehicle registered in any state for that year or the preceding year may present:

(1) the registration receipt and transfer receipt for the vehicle; or

(2) other evidence satisfactory to the county assessor-collector that the person owns the vehicle.

(c-1) A county assessor-collector shall accept a receipt or evidence provided under Subsection (c) as an application for renewal of the registration if the receipt or evidence indicates the applicant owns the vehicle. This section allows issuance for registration purposes only but does not authorize the department to issue a title.

(d) The department may require an applicant for registration to provide current personal identification as determined by department rule. Any identification number required by the department under this subsection may be entered into the department's electronic titling system but may not be printed on the title.

Certificate of Title Act

The statute requiring motor vehicle owners to make application for registration was superseded by the Certificate of Title Act that provides that an application for title must be filed with the county tax assessor-collector for each motor vehicle that is required to be registered.

- The department maintains a master vehicle record in its system for each vehicle registered and/or titled in Texas. From these records, it prints and mails a *Registration Renewal Notice*, **Form VTR-39-A** to each vehicle owner.
- Registration renewal notices may be presented to the tax assessor-collector for renewal of registration in lieu of a certificate of title.
- In the absence of a registration renewal notice or certificate of title, the applicant may present the previous year's registration receipt, or verification of Texas title/registration as proof of ownership for registration renewal purposes.

Registration Renewal Period

Registration renewal notices are mailed to each vehicle owner approximately six to eight weeks prior to the vehicle’s registration expiration date. However, the vehicle owner has the option to renew two months prior to the expiration month and during the month of expiration. This allows sufficient time for an owner to renew the current registration before it expires.

Registration Renewal Notice Form

When a *Registration Renewal Notice*, **Form VTR-39-A**, is presented in person for renewal of registration, it is not necessary to retain the notice in order to complete the renewal. Once the vehicle record has been retrieved and appears on the system workstation screen, the registration renewal notice may be discarded.

The information appearing on the registration renewal notice prints from the department's master vehicle record.

- The fees shown on the registration renewal notices are annual fees.
- Permanent additional weight purchased during the current registration year becomes part of that vehicle's master record. Consequently, when the annual fees are calculated for the forthcoming registration year, the total accumulated weight is indicated on the registration renewal notice, and the annual fee shown is calculated on the basis of any accumulated gross weight.
- At the customers’ option, e-mail addresses may be captured at the time of renewal in order to send a renewal reminder. An e-reminder is sent three weeks prior to registration expiration, if the customer has not renewed another e-reminder is sent one week prior to registration expiration.

Addresses

The copy of the registration renewal notice contains an area to update incorrect addresses. The address of the owner should always be the physical street address. If resident mail delivery is not available or the owner does not want a street address to appear on the vehicle record, a P.O. Box is acceptable. If a P.O. Box address is used as the owner's address, then you may indicate the physical street address in the “Vehicle Location Information” fields on the “Owner Address” screen in the system.

Address Confidentiality Program

Code of Criminal Procedure, Sec. 56.82. Address Confidentiality Program.

(a) The attorney general shall establish an address confidentiality program, as provided by this subchapter, to assist a victim of family violence or an offense under Section 22.011, 22.021, 25.02, or 42.072, Penal Code, in maintaining a confidential address.

(b) The attorney general shall:

(1) designate a substitute post office box address that a participant may use in place of the participant's true residential, business, or school address;

(2) act as agent to receive service of process and mail on behalf of the participant; and

(3) forward to the participant mail received by the office of the attorney general on behalf of the participant.

The Address Confidentiality Program (ACP) protects the victims of certain crimes, such as sexual assault and stalking. The Office of the Attorney General (OAG) assigns a post office box for use in lieu of participant’s physical address. This is designed to help protect the crime victim by providing the victim an additional layer of confidentiality.

The OAG, Crime Victim Services Division issues ACP participants a card that includes their name, the seal of the Office of the Attorney General, and the number of the assigned post office box. Any transaction involving an ACP participant may use this post office box number instead of any physical address the department may otherwise require.

Counties or dealers can validate participation in the program by asking the person to produce the authorization card issued by the OAG for this program. The card contains the proper post office box number.

National Change of Address

The following describes the registration renewal notice print-mail schedule and National Change of Address (NCOA) process:

- Each month, a file of approximately 1.6 million records is pulled from the master motor vehicle database and sent to a licensed NCOA vendor for processing. The NCOA vendor runs the list against approximately 160 million permanent change-of-address records provided by the U.S. Postal Service.
- Any changed addresses are printed in the renewal recipient field of the registration renewal notice and updated in the vehicle records. The renewal recipient address file changes permanently.
- The processed file is returned to the TxDMV for printing.

Registration by Mail

Applications for registration and renewal of registration may be processed by the county through the mail. In addition to the registration fee, the tax assessor-collector is allowed to collect an additional mail-in fee of $1 from each applicant to cover the cost of handling and postage to mail the registration receipt and registration insignia to the applicant.

Plates and Stickers Lost In Mail

If a license plate and/or registration sticker is lost in the mail, a “no charge” replacement may be issued provided the tax collector can verify the plate and/or sticker was mailed to the applicant. The owner then submits a replacement application, *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60** to the tax collector, or the owner may sign the replacement application on the back of the receipt.

Renewal without Registration Renewal Notice

If a registration renewal notice is not submitted by the applicant, the applicant must present other satisfactory evidence of ownership, or affidavit if the applicant is not the owner of record.

If no registration renewal notice is available, one of the following may be accepted:

- the owner presents evidence of title in the form of the previous renewal receipt issued in the owner's name for the preceding year,
- a title application receipt issued in the owner's name for the preceding year; or
- a Registration Purposes Only receipt, if issued in the owner's name for the preceding year.

If the applicant is not the person whose name appears on the registration record, deny renewal of registration until the applicant presents satisfactory evidence, such as a certificate of title or affidavit, to verify ownership or authority to renew.

Out-of-State Registered Vehicles

An owner of a motor vehicle previously registered out-of-state must present to the tax assessor-collector proper evidence of ownership and file an application for title before the vehicle can be registered and new plates issued.

Registration Purposes Only

Registration Purposes Only (RPO) receipts may be issued to both Texas residents and nonresidents who do not possess the necessary evidence to obtain a negotiable Texas Certificate of Title. This includes nonresidents who do not want to surrender their out-of-state title, or may have a lienholder. (Refer to the Title Manual for a discussion of RPO receipts and Identification requirements.)

Under no condition may a Registration Purposes Only receipt be issued to a new vehicle that has not previously been registered or titled.

14.3 Title Required for Registration

Transportation Code, Sec. 502.042. Title Required for Registration.

(a) The department may not register or renew the registration of a motor vehicle for which a title is required under Chapter 501 unless the owner:

(1) obtains a title for the vehicle; or

(2) presents satisfactory evidence that a title was previously issued to the owner by the department or another jurisdiction.

14.4 Initial Registration

Transportation Code, Sec. 502.041. Initial Registration.

(a) Notwithstanding Section 502.040, the owner of a vehicle may concurrently apply for a title and for registration through the county assessor-collector of the county in which:

(1) the owner resides; or

(2) the vehicle is purchased or encumbered.

(b) The first time an owner applies for registration of a vehicle, the owner may demonstrate compliance with Section 502.046(a) as to the vehicle by showing proof of financial responsibility in any manner specified in Section 502.046(c) as to:

(1) any vehicle of the owner; or

(2) any vehicle used as part of the consideration for the purchase of the vehicle the owner applies to register.

Individual Residency Requirements

In accordance with Attorney General's Opinion 0-1023, every person who holds legal title or has the legal right of possession or control of a vehicle is required to be registered and must annually register the vehicle in the county in which the individual resides. Therefore, it is the responsibility of the tax assessor-collectors and their deputies to establish the applicant's residence prior to the issuance of registration.

For motor vehicle registration purposes, the residence of an individual is the place of domicile or permanent abode.

- The residence of a single person is where that individual sleeps at night; that of a married person is where that individual's spouse resides, or if permanently separated, the residence is where the individual sleeps at night.
- It is the place where the family dwells or where the person makes the chief seat of the individual's affairs and interests.
- If a person owns a farm or ranch in a county other than the individual's county of legal residence, and owns vehicles stationed at such farm or ranch, the vehicles may register in the local county, provided the vehicles are registered by an agent who resides in that county and maintains legal possession of such vehicles.

- Persons residing in one county and traveling to and from a place of regular employment in another county must register their vehicles in the county in which they reside.
- If a person abandons all evidence of residency in a county, the individual should not be allowed to return to that county solely for registering vehicles.
- Persons coming to Texas from out-of-state may not register their vehicles in any county as a matter of choice. They should register in the county in which the individuals establish residency.
- “Winter Texans” are part-time residents who have dual residency in Texas for part of the year and another jurisdiction for the remainder of the year. They may not be employed or enter into business in Texas. Based on an opinion of the Office of Attorney General JM-611, applicants may title and register a vehicle in Texas provided they have a Texas address. Visitors to Texas without a Texas address may not title and register a vehicle in Texas. All other county residency requirement procedures remain in place for leased vehicles, military personnel, out-of-state corporations, bonded title applicants, college students, and reciprocity agreements between other jurisdictions.
- The residence of an officer or employee of the government of this state is where the individual's home was before the state employment or service unless the individual has become a bona fide resident of the location of government service.
- A transient family living in any type of dwelling (including mobile homes) may register their vehicles in the county in which the family resides at the time they apply for registration, provided the family is, in fact, transient, and does not have a permanent residence established in another county.

Corporation Requirements

A corporation, whether domestic or foreign, which has established residence in this state should register all vehicles owned by the corporation in the county of the corporation's principle place of business. However, if a domestic or foreign corporation owns motor vehicles permanently located in various counties of this state, the vehicles register in the county of the local headquarters.

Partnership Requirements

A partnership owned by two or more individuals having residence in different counties in this state may register their vehicles in the county of residence of either of the partners.

Construction Company Requirements

A construction company may register the company's vehicles in the county where the company operates a construction project provided the work continues through the major portion of the registration year.

Vehicles Acquired Outside the Buyer's County of Residence

Buyers of new or used vehicles when acquired outside the purchaser's county of residence may file an application for title and registration (if required to be registered) in:

- the county where the vehicle was purchased,
- the county where the lienholder is located, or
- the purchaser's home county.

Violation and Penalty

The penalty for owners registering in a county other than the owner's county of legal residence (except under the conditions as explained in this section) may be fined up to $200, plus court costs. Each owner must re-register in the owner's home county from the date of the purchase of the out-of-county registration and pay a penalty equal to 20% of the applicable fee.

14.5 Transfer of Registration

Transportation Code, Sec. 502.491. Transfer of Vehicle Registration.

(a) On the sale or transfer of a vehicle, the registration insignia issued for the vehicle shall be removed. The registration period remaining at the time of sale or transfer expires at the time of sale or transfer.

(b) On a sale or transfer of a vehicle in which neither party holds a general distinguishing number issued under Chapter 503, the part of the registration period remaining at the time of the sale or transfer shall continue with the vehicle being sold or transferred and does not transfer with the license plates or registration validation insignia. To continue the remainder of the registration period, the purchaser or transferee must file the documents required under Section 501.145.

(c) On the sale or transfer of a vehicle to a dealer, as defined by Section 503.001, who holds a general distinguishing number issued under Chapter 503, the registration period remaining at the time of the sale or transfer expires at the time of the sale or transfer. On the sale of a used vehicle by a dealer, the dealer shall issue to the buyer new registration documents for an entire registration year.

(d) If the transferor has paid for more than one year of registration, the department may credit the transferor for any time remaining on the registration in annual increments.

14.6 Registration Year

Transportation Code, Sec. 502.044. Registration Period.

(a) The department shall designate a vehicle registration year of 12 consecutive months to begin on the first day of a calendar month and end on the last day of the 12th calendar month.

(b) The department shall designate vehicle registration years so as to distribute the work of the department and the county assessor-collectors as uniformly as possible throughout the year. The department may establish separate registration years for any vehicle or classification of vehicle and may adopt rules to administer the year-round registration system.

(c) The department may designate a registration period of less than 12 months to be computed at a rate of one-twelfth the annual registration fee multiplied by the number of months in the registration period. The board by rule may allow payment of registration fees for a designated period not to exceed the amount of time determined by department rule.

(d) The department shall issue a registration receipt and registration insignia that are valid until the expiration of the designated period.

(e) The department shall use the date of sale of the vehicle in designating the registration year for a vehicle for which registration is applied for under Section 501.0234.

Staggered Registration

Texas implemented a staggered registration system on January 1, 1978. Under the staggered registration system, registration expiration dates in different months throughout the year are assigned to most vehicles.

- A registration sticker (windshield or plate) is issued that identifies the month and year of expiration, county of residence, license plate number and last eight digits of the VIN.
- In cases of delinquent registration when the county tax assessor-collector determines there is a valid reason for being delinquent, the vehicle is registered for a 12-month period. A new registration expiration month is established, that ends on the last day of the 11th month following the month of registration.
- All “annual” license plate classifications have established expiration dates. The expiration month (MAR, JUN, or DEC) and the appropriate expiration year are printed on the license plates. Upon renewal each year, a new plate or set of plates are issued. The month of expiration cannot be changed for a vehicle that is operating with annual plates.

Multiyear Registration

Multi-Year Registration will be available for most new and used vehicle types and customers will have the option of paying registration fees for 12, 24 or 36 months at time of title transfer or registration renewal processed at the county.

This does not include annual plate types such as Combination, Apportioned, etc.

A multi-year registration renewal option for 24 or 36 months was previously available for most vehicle types in IVTRS; however, in preparation for the combined registration and inspection sticker, online renewals are now only available for 12 month periods.

Vehicle Classifications

The following lists vehicle classifications that have the established expiration date of March 31st, June 30th, and December 31st.

License plate classification with March 31 expiration date (valid for a five year period):

- Antique Cars and Trucks,
- Antique Motorcycles, and

- Former Military Vehicles.

License plate classification with March 31 expiration (renewed annually):

- Congressional Medal of Honor,
- Combination,
- Disaster Relief,
- Fertilizer Truck,
- Forestry Vehicle, and
- Soil Conservation.

License plate classification with June 30 expiration date (renewed annually):

- Honorary Consul

License plate classifications with December 31 expiration date (renewed annually):

- County Judge,
- Federal Administrative Law Judge,
- State Judge,
- U.S. Congress – House and Senate,
- State Official, and
- U.S. Judge.

Vehicle Color

The vehicle color is not required to be entered in the system; however capturing vehicle color is another way to assist law enforcement in identifying a vehicle.

- Major vehicle color is the primary color that covers most, if not all, of the vehicle.
- Minor vehicle color is the secondary color and covers less than the major color of the vehicle and is captured only if the customer has indicated two colors on the application.

Assigning Registration Periods

Each registration period assigned by the department consists of 12 consecutive months beginning on the first day of a calendar month and expiring on the last day of the last calendar month in that period.

For example, if an applicant applies for registration during the month of June, the system will collect the registration fee for the 12-month period extending from June l through May 31 of the succeeding year. The applicant is issued license plates and a registration sticker with “May” expiration and the appropriate year of expiration.

For new and out-of-state vehicles that qualify for annual plates with a designated March 31 expiration, registration is applied for during the months of January, February, or March, the registration sticker and/or plates should be issued; and the fee should be collected for the applicable period, either 1, 2 or 3 months; or 13, 14, or 15 months.

DPS Inspection Certificate

A Department of Public Safety (DPS) out-of-state identification certificate **Form VI-30** is required to support an application for Texas title and registration on a vehicle that was last registered or titled outside of Texas. The verification certificate, issued by a state approved Safety Inspection Station, is required by law to ensure that the out-of-state vehicle has passed the Texas Safety Inspection and to verify the vehicle identification number on the vehicle.

Renewals

If an owner fails to renew registration before the fifth working day after the registration expires, the vehicle must not be operated until the proper registration fee has been paid.

If an application for registration is filed more than one month past the date of the previous year's registration expiration, and there is a valid reason for being late, the vehicle will be registered for a full 12 months and a new month of expiration is established.

If an application for registration is filed more than one month past the date of the previous year's registration expiration, and there is an invalid reason for being late, the vehicle will be registered for a full 12 months and the month of expiration will remain the same. If a citation has been issued, a 20% penalty of the registration fees is collected. The registrant may also be subject to a fine not to exceed $200.

Reregistration under Different Registration Classification

If a vehicle's classification should change and the owner applies for registration under a different classification, the registration period may be affected, depending on the classification change involved.

For example, if the classification change involves the issuance of passenger plates for farm truck plates (SUV type vehicle), then the vehicle retains the same expiration month originally assigned. If the classification change involves the issuance of annual plates that have the established registration expiration date of March, then the registration expiration month is March, regardless of the expiration month of the previous registration.

14.7 Owner Designated Registration Periods

Transportation Code, Sec. 502.1585. Designation of Registration Period by Owner.

(a) This section applies only to a person who owns more than one motor vehicle or trailer that is subject to registration under this chapter.

(b) Notwithstanding Section 502.044, the owner of a motor vehicle or a trailer may designate an initial or a renewal registration period for that vehicle so that the registration period for the vehicle or trailer expires on the same date as the registration period for another vehicle or trailer previously registered by that owner.

(c) A registration period designated under this section must begin on the first day of a calendar month and end on the last day of a calendar month and may not be for less than 12 months.

(d) The registration fee for a registration period designated under this section is computed at a rate of one-twelfth the annual registration fee multiplied by the number of months in the designated registration period.

(e) The department shall issue an applicant for registration who pays registration fees for a designated period under this section a registration receipt and registration insignia that are valid until the expiration of the designated period.

An owner of a vehicle has the option to change the vehicle's current registration expiration month to coincide with the month of another vehicle owned by the applicant. The county processes the request only if the following criteria are met:

- the owner owns at least one additional vehicle or trailer currently registered,
- the expiration date chosen is in the same month as another vehicle currently registered by the applicant, and
- the expiration date chosen is a minimum of 12 months from the time of registration.

An applicant may change the expiration month of a vehicle during initial registration or at the time of renewal.

- When a request to change the expiration month is made, verify the license plate number of another vehicle owned by the applicant to verify the month of expiration.
- Because a registration period cannot be less than 12 months, an owner must initially pay a minimum of 12 months registration plus the number of months needed to arrive at the designated month.

Note: There is nothing in law that allows for the expiration month to revert back to the previous expiration.

14.8 License Plate or Registration Insignia Issuance

Transportation Code, Sec. 504.010. Issuance and Placement of License Plate.

(a) On payment of the prescribed fee, an applicant for motor vehicle registration shall be issued a license plate or set of plates.

(b) Subject to Section 504.901, the department shall issue only one license plate or set of plates for a vehicle during the registration period set by rule.

(c) The board may adopt rules regarding the placement of license plates for motor vehicle, road tractor, motorcycle, trailer, or semitrailer.

Transportation Code Sec. 502.059. Issuance of Registration Insignia.

(a) On payment of the prescribed fee an application for motor vehicle registration shall be issued a registration insignia.

(b) On application and payment of the prescribed fee for a renewal of the registration of a vehicle through the period set by rule, the department shall issue a registration insignia for the validation of the license plate or plates to be attached as provided by Subsection (c).

(c) ***[2 Versions: Effective Until March 1, 2015]*** *Except as provided by Subsection (f), the registration insignia for validation of a license plate shall be attached to the inside of the vehicle's windshield, if the vehicle has a windshield, within six inches of the place where the motor vehicle inspection sticker is required to be placed. If the vehicle does not have a windshield, the owner, when applying for registration or renewal of registration, shall notify the department, and the department shall issue a distinctive device for attachment to the rear license plate of the vehicle.*

(c) ***[2 Versions: Effective March 1, 2015]*** *Except as provided by Subsection (f), the registration insignia for validation of a license plate shall be attached to the inside of the vehicle's windshield, if the vehicle has a windshield, in the lower left corner in a manner that will not obstruct the vision of the driver. If the vehicle does not have a windshield, the owner, when applying for registration or renewal of registration, shall notify the department, and the department shall issue a distinctive device for attachment to the rear license plate of the vehicle.*

(d) Department rules may provide for the use of an automated registration process, including:

(1) the automated on-site production of registration insignia; and

(2) automated on-premises and off-premises self service registration.

(e) Subsection (c) does not apply to:

(1) the issuance of specialized license plates as designated by the department, including state official license plates, exempt plates for governmental entities, and temporary registration plates; or

(2) the issuance of validation of replacement license plates, except as provided by Chapter 504.

(f) The registration insignia shall be attached to the rear license plate of the vehicle, if the vehicle is:

(1) a motorcycle;

(2) machinery used exclusively to drill water wells or construction machinery for which a distinguishing license plate has been issued under Section 502.146; or

(3) oil well servicing, oil clean out, or oil well drilling machinery or equipment for which a distinguishing license plate has been issued under Subchapter G, Chapter 623.

14.9 Registration Receipt

Transportation Code, Sec. 502.057. Registration Receipt.

The department shall issue or require to be issued to the owner of a vehicle registered under this chapter a registration receipt showing the information required by rule.

A registration receipt is issued to document the registration of each vehicle within this state. The receipt serves two primary purposes:

- proof of registration and that the proper fees have been paid for the legal operation of a vehicle, and
- as evidence of title if the vehicle falls under the title laws of this state. In the case of Registration Purposes Only, the receipt is proof of registration.

The only registration receipts that are acceptable as proof of a vehicle's current registration status are receipts issued by the department or by the tax assessor-collector, either on a form furnished by the department or on a validated verification of title and registration printout.

Transportation Code, Sec. 502.058. Duplicate Registration Receipt.

(a) The owner of a vehicle for which the registration receipt has been lost or destroyed may obtain a duplicate receipt from the department or the county assessor-collector who issued the original receipt by paying a fee of $2.

(b) The office issuing a duplicate receipt shall retain the fee received.

(c) A fee collected by the department under Subsection (a) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

Duplicate Receipts

Duplicate registration receipts may be issued at any county tax office or TxDMV Regional Service Centers for a $2 fee. Duplicate receipts may only be issued for currently registered vehicles.

Note: The $2 fee should be charged when a Duplicate Registration Receipt is printed and provided to a customer. However, the $2 fee should not be charged at the time of title transfer.

Registration Inquiry Receipts

If the vehicle is not currently registered, and a Vehicle Inquiry Receipt is printed, a $2 fee should be charged at the county.

14.10 License Plate or Registration Insignia Replacement

Transportation Code, Sec. 502.060. Replacement of Registration Insignia.

(a) The owner of a registered motor vehicle may obtain a replacement registration insignia by:

(1) certifying that the replacement registration insignia will not be used on any other vehicle owned or operated by the person making the statement;

(2) paying a fee of $6 plus the fees required by Section 502.356(a) for each replacement registration insignia, except as provided by other law; and

(3) returning each replaced registration insignia in the owner's possession.

(b) No fee is required under this section if the replacement fee for a license plate has been paid under Section 504.007.

(c) A county assessor-collector may not issue a replacement registration insignia without complying with this section.

(d) A county assessor-collector shall retain $2.50 of each fee collected under this section and shall report and send the remainder to the department.

(e) The portion of the fee sent to the department under Subsection (d) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

The owner must complete an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**, stating that the license plates and/or registration sticker is lost, stolen, or mutilated. Instead of the form, the county may use the back of the RTS 500 receipt if the customer is available to sign.

The owner must surrender the current year's registration receipt and any remaining plate or sticker.

Note: Surrendered license plates must be made unusable, destroyed, or processed by a recycling facility. If necessary, coordinate with your local TxDMV Regional Service Center to pick up plates that have been surrendered and cannot be recycled, destroyed or made unusable.

Mandatory “Needs” Plate Replacement

Mandatory replacement is required for all license plates when the plate age reaches seven years (Plate Age will show '7' in the system). Customers are notified of the need to replace the plates on their registration renewal notice with the remark “New Plates Required.”

The registration renewal notice indicates the plate age on the county copy of the form. The wording “NEW PLATES REQUIRED” appears on those registration renewal notices which reflect a plate age of “7” or more.

- If the block records a “7” or higher number, new license plates must be issued.
- If the block records a “6” or lower number, the applicant does not qualify for new license plates under the “Needs” program (in this situation, the owner would be required to pay the statutory replacement fee for new license plates).

Plate Replacements

The statutory replacement fee for passenger vehicles and trucks is $6.

For the following vehicles, the replacement fee is $5:

- Antique,
- Antique Motorcycle,
- Classic (department issued or tab issued for “old plates”),
- Machinery,
- Motorcycle,
- Military Vehicle,
- Military Motorcycle, and
- Permit.

Note: Customers should not be charged a replacement fee in the event of an error by the County Tax Assessor-Collector’s office (or authorized deputy) when the error is discovered after the 48-hour window for voiding transactions has passed.

Customers should not be charged a replacement fee if a license plate and/or registration sticker is lost in the mail, provided the tax collector can verify the plate and/or sticker was mailed to the applicant.

If an owner loses their license plate(s), the county must replace both the license plates and the registration sticker since the license plate number is shown on the registration sticker. The registration sticker shows the:

- replacement plate number,
- county name, and
- last eight digits of the VIN.

14.11 Unsafe Vehicles

Transportation Code, Sec. 502.048. Refusal to Register Unsafe Vehicle.

The department may refuse to register a motor vehicle and may cancel, suspend, or revoke a registration if the department determines that a motor vehicle is unsafe, improperly equipped, or otherwise unfit to be operated on a public highway.

14.12 Refusal to Register Vehicles (Scofflaws)

Failure to Appear or Pay on a City Violation of Traffic Law

Transportation Code, Sec. 502.010. County Scofflaw.

(a) A county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives information that the owner of the vehicle:

(1) owes the county money for a fine, fee, or tax that is past due; or

(2) failed to appear in connection with a complaint, citation, information, or indictment in a court in the county in which a criminal proceeding is pending against the owner.

(b) A county may contract with the department to provide information to the department necessary to make a determination under Subsection (a).

(c) A county that has a contract under Subsection (b) shall notify the department regarding a person for whom the county assessor-collector or the department has refused to register a motor vehicle on:

(1) the person's payment or other means of discharge of the past due fine, fee, or tax; or

(2) perfection of an appeal of the case contesting payment of the fine, fee, or tax.

(d) After notice is received under Subsection (c), the county assessor-collector or the department may not refuse to register the motor vehicle under Subsection (a).

(e) A contract under Subsection (b) must be entered into in accordance with Chapter 791, Government Code, and is subject to the ability of the parties to provide or pay for the services required under the contract.

(f) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1094] A county that has a contract under Subsection (b) may impose an additional fee of $20 to:

(1) a person who fails to pay a fine, fee, or tax to the county by the date on which the fine, fee, or tax is due; or

(2) a person who fails to appear in connection with a complaint, citation, information, or indictment in a court in which a criminal proceeding is pending against the owner.

(f) [2 Versions: As amended by Acts 2011, 82nd Leg., ch. 1296] A county that has a contract under Subsection (b) may impose an additional fee to a person paying a fine, fee, or tax to the county after it is past due. The additional fee may be used only to reimburse the department or the county for its expenses for providing services under the contract.

(f-1) The additional fee may be used only to reimburse the department or the county assessor-collector for its expenses for providing services under the contract, or another county department for expenses related to services under the contract.

(g) In this section:

(1) a fine, fee, or tax is considered past due if it is unpaid 90 or more days after the date it is due; and

(2) registration of a motor vehicle includes renewal of the registration of the vehicle.

(h) This section does not apply to the registration of a motor vehicle under Section 501.0234, unless the vehicle is titled and registered in the name of a person who holds a general distinguishing number.

Transportation Code, Sec. 502.011. Refusal to Register Vehicle for Nonpayment of Toll or Administrative Fee.

(a) A county assessor-collector or the department may refuse to register or renew the registration of a motor vehicle if it has received written notice from a toll project entity that the owner of the vehicle has been finally determined to be a habitual violator under Subchapter C, Chapter 372.

(b) A toll project entity shall notify a county assessor-collector or the department, as applicable, that:

(1) a person for whom the assessor-collector or the department has refused to register a vehicle is no longer determined to be a habitual violator; or

(2) an appeal has been perfected and the appellant has posted any bond required to stay the toll project entity's exercise of habitual violator remedies pending the appeal.

(c) This section does not apply to the registration of a motor vehicle under Section 501.0234.

Transportation Code Sec. 372.106. Habitual Violator.

(a) For purposes of this subchapter, a habitual violator is a registered owner of a vehicle who a toll project entity determines:

(1) was issued at least two written notices of nonpayment that contained:

(A) in the aggregate, 100 or more events of nonpayment within a period of one year, not including events of nonpayment for which:

(i) the registered owner has provided to the toll project entity information establishing that the vehicle was subject to a lease at the time of the nonpayment, as provided by applicable toll project entity law; or

(ii) a defense of theft at the time of the nonpayment has been established as provided by applicable toll project entity law; and

(B) a warning that the failure to pay the amounts specified in the notices may result in the toll project entity's exercise of habitual violator remedies; and

(2) has not paid in full the total amount due for tolls and administrative fees under those notices.

(b) If the toll project entity makes a determination under Subsection (a), the toll project entity shall give written notice to the person at:

(1) the person's address as shown in the vehicle registration records of the Texas Department of Motor Vehicles or the analogous agency of another state or country; or

(2) an alternate address provided by the person or derived through other reliable means.

(c) The notice must:

(1) be sent by first class mail and is presumed received on the fifth day after the date the notice is mailed; and

(2) state:

(A) the total number of events of nonpayment and the total amount due for tolls and administrative fees;

(B) the date of the determination under Subsection (a);

(C) the right of the person to request a hearing on the determination; and

(D) the procedure for requesting a hearing, including the period during which the request must be made.

(d) If not later than the 30th day after the date on which the person is presumed to have received the notice the toll project entity receives a written request for a hearing, a hearing shall be held as provided by Section 372.107.

(e) If the person does not request a hearing within the period provided by Subsection (d), the toll project entity's determination becomes final and not subject to appeal on the expiration of that period.

Transportation Code Sec. 372.111. Denial Of Motor Vehicle Registration.

After a final determination that the registered owner of a motor vehicle is a habitual violator, the toll project entity may report the determination to a county assessor-collector or the Texas Department of Motor Vehicles in order to cause the denial of vehicle registration as provided by Section 502.011.

Transportation Code Sec. 702.003. Refusal to Register Vehicle.

(a) A county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives under a contract information from a municipality that the owner of the vehicle has an outstanding warrant from that municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law.

(b) A municipality may contract with a county in which the municipality is located or the department to provide information to the county assessor-collector or department necessary to make a determination under Subsection (a).

(c) A municipality that has a contract under Subsection (b) shall notify the county assessor-collector or the department regarding a person for whom the county assessor-collector or the department has refused to register a motor vehicle on:

(1) entry of a judgment against the person and the person's payment to the court of the fine for the violation and of all court costs;

(2) perfection of an appeal of the case for which the arrest warrant was issued; or

(3) dismissal of the charge for which the arrest warrant was issued.

(d) After notice is received under Subsection (c), the county assessor-collector or the department may not refuse to register the motor vehicle under Subsection (a).

(e) A contract under Subsection (b) must be entered into in accordance with Chapter 791, Government Code, and is subject to the ability of the parties to provide or pay for the services required under the contract.

(e-1) A municipality that has a contract under Subsection (b) may impose an additional $20 fee to a person who has an outstanding warrant from the municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law. The additional fee may be used only to reimburse the department or the county assessor-collector for its expenses for providing services under the contract, or another county department for expenses related to services under the contract.

(f) This section does not apply to the registration of a motor vehicle under Section 501.0234.

These statutes allow a county tax assessor-collector the option to refuse to register a motor vehicle if the assessor-collector or the department receives information that:

- A county is owed a fine, fee, or tax past due that is unpaid 90 or more days after the date it is due.
- An owner has failed to appear or pay a fine on a complaint that involves the violation of a city traffic law.

- An owner has 100 or more events of nonpayment within a period of one year to a toll project entity.

Note: Statute specifically refers to a county refusing to register a motor vehicle, if a scofflaw remark is on the record. This does not pertain to the issuance or renewal of disabled parking plates or placards.

The $20 fee:

- only applies to counties and municipalities that have scofflaw related contracts with TxDMV under Transportation Code 502.010 - the County Scofflaw Interlocal Agreement or Transportation Code 702.003 and 707.017 - the City Scofflaw Inter-local Agreement.
- is only charged to customers who failed to appear in connection with a complaint, citation, information, or indictment in a court in the county or a municipality in which a criminal proceeding is pending against the vehicle owner.
- should not be collected in the Registration and Title System since it is not a registration or title fee.
- may be used to reimburse the county tax assessor-collector, another county department, or the department (TxDMV) for expenses related to services under the scofflaw contract. While the department is cited in the statute, the department does not intend to seek any portion of the $20.

Flagging Motor Vehicle Record

The remark “COUNTY SCOFFLAW: [County Name]” and/or “CITY SCOFFLAW [CITY Name]” appears on the vehicle record and is printed on the owner's registration renewal notice. An owner whose registration renewal notice contains this remark must renew registration in person in the county tax assessor-collector's office.

The remark “TOLL SCOFFLAW: [Toll Entity Name]” appears on the vehicle record and is printed on the owner’s registration renewal notice. This remark is recorded on the record when the vehicle has been reported to TxDMV by a toll authority as having delinquent toll charges. An owner whose registration renewal notice contains this remark must renew registration in person in the county tax assessor-collector's office.

Clearing Motor Vehicle Record

A county tax assessor-collector must notify the department when an owner has paid or has otherwise discharged a past due fine, fee, or tax or if the owner has perfected an appeal of the case contesting payment of the fine, fee, or tax. Once notification is received, the county tax assessor-collector may not refuse the registration of the vehicle.

A municipality that has a contract must notify the department of a settlement. Once notification is received, the remark is removed from the vehicle record.

The department will remove the Toll Scofflaw remark once notified by the toll entity.

Transfer by Licensed Motor Vehicle Dealers

A county tax assessor-collector may not use this statute as the basis for denying registration when the application for title is made on behalf of a buyer by a Texas licensed dealer.

Delinquent Payment of Local Authority Civil Penalties

Transportation Code, Sec. 707.017. Enforcement.

(a) If the owner of a motor vehicle is delinquent in the payment of a civil penalty imposed under this chapter, the county assessor-collector or the Texas Department of Motor Vehicles may refuse to register a motor vehicle alleged to have been involved in the violation.

(b) This section does not apply to the registration of a motor vehicle under Section 501.0234.

This law allows a county or the department to refuse the registration of a motor vehicle if the owner of the vehicle is delinquent in the payment of a civil penalty imposed under Chapter 707, Photographic Traffic Signal Enforcement System (Red Light Camera).

Local authority means a county, municipality, or other local entity authorized to enact traffic laws under the laws of this state; or a school district only when it is designating school crossing guards for schools operated by the district.

14.13 Military Service on Registration Requirements

Transportation Code, Sec. 502.090. Effect of Certain Military Service on Registration Requirement.

(a) This section applies only to a motor vehicle that is owned by a person who:

(1) is a resident of this state;

(2) is on active duty in the armed forces of the United States;

(3) is stationed in or has been assigned to another nation under military orders; and

(4) has registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by:

(A) the appropriate branch of the armed forces of the United States; or

(B) the nation in which the person is stationed or to which the person has been assigned.

(b) Unless the registration or license issued for a vehicle described by Subsection (a) is suspended, canceled, or revoked by this state as provided by law:

(1) Section 502.040(a) does not apply; and

(2) the registration or license issued by the armed forces or host nation remains valid and the motor vehicle may be operated in this state under that registration or license for a period of not more than 90 days after the date on which the vehicle returns to this state.

14.14 Active Duty Military Personnel

Transportation Code, Sec. 502.457. Persons on Active Duty in Armed Forces of United States.

(a) This section applies only to a used motor vehicle that is owned by a person who:

(1) is on active duty in the armed forces of the United States;

(2) is stationed in or has been assigned to another nation under military orders; and

(3) has registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by:

(A) the appropriate branch of the armed forces of the United States; or

(B) the nation in which the person is stationed or to which the person has been assigned.

(b) The requirement that a used vehicle be registered under the law of this state does not apply to a vehicle described by Subsection (a). In lieu of delivering the license receipt to the transferee of the vehicle, as required by Section 501.0721, the person selling, trading, or otherwise transferring a used motor vehicle described by Subsection (a) shall deliver to the transferee:

(1) a letter written on official letterhead by the owner's unit commander attesting to the registration of the vehicle under Subsection (a)(3); or

(2) the registration receipt issued by the appropriate branch of the armed forces or host nation.

(c) A registration receipt issued by a host nation that is not written in the English language must be accompanied by:

(1) a written translation of the registration receipt in English; and

(2) an affidavit, in English and signed by the person translating the registration receipt, attesting to the person's ability to translate the registration receipt into English.

This law provides that under specific circumstances, persons who are on active duty in the U.S. Armed Forces may apply for a Texas Certificate of Title without obtaining Texas registration (Title Only).

In addition to the negotiable evidence of ownership that must be surrendered in support of the Texas Certificate of Title, the applicant must meet the following requirements:

- be a Texas resident,
- be on active duty in the armed forces of the United States,
- be stationed in or be assigned to another nation under military orders,
- have registered the vehicle or been issued a license for the vehicle under the applicable status of forces agreement by the appropriate branch of the U.S. Armed Forces, or
- have registered the vehicle or been issued a license for the vehicle by the country in which the person is stationed.

The proof of the current registration must be submitted by either a:

- letter written on official letterhead by the owner's unit commander attesting to the registration of the vehicle (applicable status of forces agreement), or
- registration receipt issued by the appropriate branch of the armed forces or host nation.

A registration receipt not written in English must be accompanied by a written translation in English with a signed affidavit by the translator attesting to their ability to translate the receipt into English.

The registration or license issued by the armed forces or host nation remains valid and the motor vehicle may be operated for 90 days after the vehicle returns to Texas.

Proof of active duty and assignment to a Texas military base is required at the county tax assessor-collector's office.

Chapter 15

SIZE AND WEIGHT

This chapter contains the following sections:

- ***15.1*** Manufactured Housing
- ***15.2*** Determination of Weight
- ***15.3*** Definitions
- ***15.4*** Heavy Vehicles Registration Receipts
- ***15.5*** Other State Reciprocal Permits
- ***15.6*** Maximum Width
- ***15.7*** Additional Gross Weight Registration
- ***15.8*** Width Exceptions
- ***15.9*** Length Exceptions
- ***15.10*** Recreational Vehicle Width Limitations

15.1 Manufactured Housing

Transportation Code, Sec. 502.142. Manufactured Housing.

Manufactured housing, as defined by Section 1201.003, Occupations Code, is not a vehicle subject to this chapter.

Definitions

Manufactured housing which includes mobile homes which are eight feet or more in width, or 40 feet or more in length (not including the hitch) are not subject to the Registration or Certificate of Title Acts. Manufactured housing is under the authority of the Department of Licensing and Regulation.

Over Width/Over Length Permits

Manufactured housing does not require any type of registration to travel Texas highways. However, they may require oversize permits which may be obtained from the Motor Carrier Division.

15.2 Determination of Weight

Transportation Code, Sec. 502.055. Determination of Weight and Seating Capacity.

(a) The weight, net weight, or gross weight of a vehicle, as determined by the department, is the correct weight for registration purposes, regardless of any other purported weight of the vehicle.

(b) The department may require an applicant for registration under this chapter to provide the department with evidence of:

(1) the manufacturer's rated carrying capacity for the vehicle; or

(2) the gross vehicle weight rating.

(c) For the purpose of this section, the seating capacity of a bus is:

(1) the manufacturer's rated seating capacity, excluding the operator's seat; or

(2) if the manufacturer has not rated the vehicle for seating capacity, a number computed by allowing one passenger for each 16 inches of seating on the bus, excluding the operator's seat.

(d) For registration purposes:

(1) the weight of a passenger car is the shipping weight of the car plus 100 pounds; and

(2) the weight of a municipal bus or private bus is calculated by adding the following and rounding to the next highest 100 pounds:

(A) the shipping weight of the bus; and

(B) the seating capacity multiplied by 150 pounds.

15.3 Definitions

Transportation Code, Sec. 621.001. Definitions.

In this chapter:

(1) "Commercial motor vehicle" means a motor vehicle, other than a motorcycle, designed or used for:

(A) the transportation of property; or

(B) delivery purposes.

(2) "Commission" means the Texas Transportation Commission.

(3) "Department" means the Texas Department of Motor Vehicles.

(4) "Director" means:

(A) the executive director of the department; or

(B) an employee of the department who is:

(i) a division or special office director or holds a rank higher than division or special office director; and

(ii) designated by the executive director.

(5) "Motor vehicle" means a vehicle that is self-propelled.

(6) "Semitrailer" means a vehicle without motive power that is designed, or used with a motor vehicle, so that some of its weight and the weight of its load rests on or is carried by the motor vehicle.

(7) "Trailer" means a vehicle without motive power that is:

(A) designed or used to carry property or passengers on its own structure exclusively; and

(B) drawn by a motor vehicle.

(8) "Truck-tractor" means a motor vehicle designed or used primarily for drawing another vehicle:

(A) that is not constructed to carry a load other than a part of the weight of the vehicle and load being drawn; or

(B) that is engaged with a semitrailer in the transportation of automobiles or boats and that transports the automobiles or boats on part of the truck-tractor.

(9) "Vehicle" means a mechanical device, other than a device moved by human power or used exclusively upon stationary rails or tracks, in, on, or by which a person or property can be transported on a public highway. The term includes a motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semitrailer but does not include manufactured housing as defined by Chapter 1201, Occupations Code.

(10) "Single axle weight" means the total weight transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

(11) "Tandem axle weight" means the total weight transmitted to the road by two or more consecutive axles whose centers may be included between parallel transverse vertical planes spaced more than 40 inches and not more than 96 inches apart, extending across the full width of the vehicle.

(12) "Port of entry" means a place designated by executive order of the president of the United States, by order of the United States secretary of the treasury, or by act of the United States Congress at which a customs officer is authorized to accept entries of merchandise, collect duties, and enforce customs and navigation laws. The term includes a publicly owned or privately owned international port of entry between this state and the United Mexican States.

(13))"Board" means the board of the Texas Department of Motor Vehicles.

15.4 Heavy Vehicles Registration Receipts

Transportation Code, Sec. 621.002. Vehicle Registration Receipt for Certain Heavy Vehicles.

(a) A copy of the registration receipt issued under Section 502.057 for a commercial motor vehicle, truck-tractor, trailer, or semitrailer shall be:

(1) carried on the vehicle when the vehicle is on a public highway; and

(2) presented to an officer authorized to enforce this chapter on request of the officer.

(b) A copy of the registration receipt is:

(1) admissible in evidence in any cause in which the gross registered weight of the vehicle is an issue; and

(2) prima facie evidence of the gross weight for which the vehicle is registered.

15.5 Other State Reciprocal Permits

Transportation Code, Sec. 621.003. Reciprocal Agreement with Another State for Issuance of Permits.

(a) The board by rule may authorize the director to enter into with the proper authority of another state an agreement that authorizes:

(1) the authority of the other state to issue on behalf of the department to the owner or operator of a vehicle, or combination of vehicles, that exceeds the weight or size limits allowed by this state a permit that authorizes the operation or transportation on a highway in this state of the vehicle or combination of vehicles; and

(2) the department to issue on behalf of the authority of the other state to the owner or operator of a vehicle, or combination of vehicles, that exceeds the weight or size limits allowed by that state a permit that authorizes the operation or transportation on a highway of that state of the vehicle or combination of vehicles.

(b) A permit issued by the authority of another state under an agreement entered into under this section has the same validity in this state as a permit issued by the department.

(c) The holder of a permit issued by the authority of another state under an agreement entered into under this section is subject to all applicable laws of this state and rules of the department.

(d) The department may contract with a third party to act as the department's agent in the processing of a permit application and the distribution of permit issued by the department under this section.

(e) An agreement entered into under this section may provide for a third party to act as the agent of each state in the processing of a permit application and the distribution of a permit issued by a state under this section.

Regarding circus and carnival vehicles, the department grants no reciprocity to owners and operators of vehicles owned or used in connection with circus and carnival activities if the owners or operators of such vehicles are residents of this state. If the circus or carnival "winters" in Texas, consider them residents for registration purposes.

15.6 Maximum Width

Transportation Code, Sec. 621.201. Maximum Width.

(a) The total width of a vehicle operated on a public highway other than a vehicle to which Subsection (b) applies, including a load on the vehicle but excluding any safety device determined by the United States Department of Transportation or the Texas Department of Public Safety to be necessary for the safe and efficient operation of motor vehicles of that type, may not be greater than 102 inches.

(b) The total width of a passenger vehicle and its load may not be greater than eight feet. This subsection does not apply to a motor bus or trolley bus operated exclusively in the territory of a municipality, in suburbs contiguous to the municipality, or in the county in which the municipality is located.

(c) A passenger vehicle may not carry a load extending more than three inches beyond the left side line of its fenders or more than six inches beyond the right side line of its fenders.

15.7 Additional Gross Weight Registration

Transportation Code, Sec. 621.406. Additional Gross Weight Registration.

(a) If the gross weight of the motor vehicle is not heavier than the maximum gross weight allowed for the vehicle but is heavier than the registered gross weight for the vehicle, the weight enforcement officer shall require the operator or owner of the vehicle to apply to the nearest available county assessor-collector to increase the gross weight for which the vehicle is registered to a weight equal to or heavier than the gross weight of the vehicle before the operator or owner may proceed.

(b) The vehicle may not be operated further over the public highways or roads of the state until the registered gross weight of the vehicle has been increased as required by Subsection (a) unless the load consists of livestock or perishable merchandise, in which event the operator or owner may proceed with the vehicle in the direction of the vehicle's destination to the nearest practical location at which the vehicle's load can be protected from damage or destruction before increasing the registered weight.

(c) If an operator or owner is found to be carrying a load that is heavier than the load allowed for the registered gross weight of the vehicle, the operator or owner shall pay for the registration of the additional weight for the entire period for which the vehicle is registered without regard to whether the owner or operator has been carrying similar loads from the date of purchase of the vehicle's current license registration for that registration period.

A 10% registration emissions surcharge may apply for qualifying vehicles.

Out-of-state vehicles apprehended for weight violations are required to obtain an RPO. The county should collect additional fees for one year from the date of apprehension based on 100% Texas fees.

15.8 Width Exceptions

Transportation Code, Sec. 622.901. Width Exceptions.

The width limitation provided by Section 621.201 does not apply to:

(1) highway building or maintenance machinery that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(2) a vehicle traveling during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways or traveling for not more than 50 miles on a highway that is part of the national system of interstate and defense highways if the vehicle is:

(A) a farm tractor or implement of husbandry; or

(B) a vehicle on which a farm tractor or implement of husbandry, other than a tractor or implement being transported from one dealer to another, is being moved by the owner of the tractor or implement or by an agent or employee of the owner:

(i) to deliver the tractor or implement to a new owner;

(ii) to transport the tractor or implement to or from a mechanic for maintenance or repair; or

(iii) in the course of an agricultural operation;

(3) machinery that is used solely for drilling water wells, including machinery that is a unit or a unit mounted on a conventional vehicle or chassis, and that is traveling:

(A) during daylight on a public highway other than a highway that is part of the national system of interstate and defense highways; or

(B) for not more than 50 miles on a highway that is part of the national system of interstate and defense highways;

(4) a vehicle owned or operated by a public, private, or volunteer fire department;

(5) a vehicle registered under Section 502.431; or

(6) a recreational vehicle to which Section 622.903 applies.

15.9 Length Exceptions

Transportation Code, Sec. 622.902. Length Exceptions.

The length limitations provided by Sections 621.203 to 621.205 do not apply to:

(1) machinery used exclusively for drilling water wells, including machinery that is itself a unit or that is a unit mounted on a conventional vehicle or chassis;

(2) a vehicle owned or operated by a public, private, or volunteer fire department;

(3) a vehicle or combination of vehicles operated exclusively in the territory of a municipality or to a combination of vehicles operated by a municipality in a suburb adjoining the municipality in which the municipality has been using the equipment or similar equipment in connection with an established service to the suburb;

(4) a truck-tractor, truck-tractor combination, or truck-trailer combination exclusively transporting machinery, materials, and equipment used in the construction, operation, and maintenance of facilities, including pipelines, that are used for the discovery, production, and processing of natural gas or petroleum;

(5) a drive-away saddlemount vehicle transporter combination or a drive-away saddlemount with fullmount vehicle transporter combination, as defined by 23 C.F.R. Part 658 or its successor, if:

(A) the overall length of the combination is not longer than 97 feet; and

(B) the combination does not have more than three saddlemounted vehicles if the combination does not include more than one fullmount vehicle;

(6) the combination of a tow truck and another vehicle or vehicle combination if:

(A) the other vehicle or vehicle combination cannot be normally or safely driven or was abandoned on a highway; and

(B) the tow truck is towing the other vehicle or vehicle combination directly to the nearest authorized place of repair, terminal, or destination of unloading; or

(7) a vehicle or combination of vehicles used to transport a combine that is used in farm custom harvesting operations on a farm if the overall length of the vehicle or combination is not longer than:

(A) 75 feet if the vehicle is traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system; or

(B) 81-1/2 feet if the vehicle is not traveling on a highway that is part of the national system of interstate and defense highways or the federal aid primary highway system.

15.10 Recreational Vehicle Width Limitations

Transportation Code, Sec. 622.903. Width Limitation on Certain Recreational Vehicles.

(a) In this section:

(1) "Appurtenance" includes an awning, a grab handle, lighting equipment, or a vent. The term does not include a load-carrying device.

(2) "Recreational vehicle" has the meaning assigned by Section 522.004.

(b) A recreational vehicle may exceed a width limitation established by Section 621.201 or 621.202 if the excess width is attributable to an appurtenance that extends six inches or less beyond a fender on one or both sides of the vehicle.

Note: Transportation Code Sec. 522.004 (6)(b) reads in part: In this section, "recreational vehicle" means a motor vehicle primarily designed as temporary living quarters for recreational camping or travel use. The term includes a travel trailer, camping trailer, truck camper, and motor home.

Chapter 16

TEMPORARY PERMITS

This chapter contains the following sections:

- ***16.1*** Temporary 72-Hour or 144-Hour Permits
- ***16.2*** One-Trip (single trip) or 30-Day Trip Permits
- ***16.3*** Nonresident-owned Farm Transport Vehicles
- ***16.4*** Vehicle Transit Permit - Private Party Sale
- ***16.5*** Temporary Permit (Lights Out)

A temporary permit (72-Hour, 144-Hour, One-Trip, or 30-Day) may not be issued to any vehicle that has been:

- apprehended, or
- issued a salvage or nonrepairable certificate of title.

Note: A temporary permit (72-Hour, 144-Hour, One-Trip, or 30-Day) may be issued to vehicles with "Title Only."

Payments for Texas temporary permits must be made in the form of:

- a money order,
- certified check,
- escrow account,
- cash, or
- credit card, if applicable (a service charge for the credit card payment or escrow payment may be included).

Checks will not be accepted for permits.

16.1 Temporary 72-Hour or 144-Hour Permits

See Table 16-1 for a combination truck 72/144-Hour Permit quick reference.

Transportation Code, Sec. 502.094. 72- or 144-Hour Permits.

(a) The department may issue a temporary registration permit in lieu of registration for a commercial motor vehicle, trailer, semitrailer, or motor bus that:

(1) is owned by a resident of the United States, Canada, or the United Mexican States;

(2) is subject to registration in this state; and

(3) is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or province in which the vehicle is registered.

(b) A permit issued under this section is valid for the period stated on the permit, effective from the date and time shown on the receipt issued as evidence of registration under this section.

(c) A person may obtain a permit under this section by:

(1) applying to the county assessor-collector or the department;

(2) paying a fee of $25 for a 72-hour permit or $50 for a 144-hour permit in the manner prescribed by the department that may include a service charge for a credit card payment or escrow account;

(3) furnishing to the county assessor-collector or the department evidence of financial responsibility for the vehicle that complies with Sections 502.046(c) and 601.168(a); and

(4) submitting a copy of the applicable federal declaration form required by the Federal Motor Carrier Safety Administration or its successor in connection with the importation of a motor vehicle or motor vehicle equipment subject to the federal motor vehicle safety, bumper, and theft prevention standards.

(d) A county assessor-collector shall report and send a fee collected under this section in the manner provided by Section 502.198. The board by rule shall prescribe the format and content of a report required by this subsection.

(e) A vehicle issued a permit under this section is subject to Subchapters B and F, Chapter 548, unless the vehicle:

(1) is registered in another state of the United States, or in a province of Canada, or in a state of the United Mexican States; or

(2) is mobile drilling or servicing equipment used in the production of gas, crude petroleum, or oil, including a mobile crane or hoisting equipment, mobile lift equipment, forklift, or tug.

(f) A commercial motor vehicle, trailer, semitrailer, or motor bus apprehended for violating a registration law of this state:

(1) may not be issued a permit under this section; and

(2) is immediately subject to registration in this state.

(g) A person who operates a commercial motor vehicle, trailer, or semitrailer with an expired permit issued under this section is considered to be operating an unregistered vehicle subject to each penalty prescribed by law.

(h) The department may establish one or more escrow accounts in the Texas Department of Motor Vehicles fund for the prepayment of a 72-hour permit or a 144-hour permit. Any fee established by the department for the administration of this subsection shall be administered as required by an agreement entered into by the department.

A temporary 72-Hour or 144-Hour Permit is recognized in lieu of registration. Such permits are issued for the movement of a laden truck, truck-tractor, trailer, semitrailer, or a motor bus upon the highways of Texas in either interstate or intrastate operation. See Table 16-1 for a temporary permit quick reference.

Temporary 72-Hour or 144-Hour Permits may only be issued to commercial vehicles and buses owned by residents of the United States, Mexico, or Canada. Residents of any other foreign country are not eligible to obtain this type of temporary registration.

Nonresidents of Texas may use these permits to:

- Operate an unregistered commercial vehicle or bus in Texas.
- Engage in intrastate operations in Texas with out-of-state licensed commercial vehicles.

Texas residents may use these permits to operate:

- An unregistered commercial vehicle or bus in Texas.
- A Texas registered commercial vehicle with a heavier gross weight than registered. The heavier load may operate for only the period that the permit is valid unless the owner purchases additional permits.
- A vehicle registered with either Farm or Soil Conservation license plates when the vehicle is operating over the maximum weight allowed by law.

Weights

Vehicles operating with 72-Hour or 144-Hour Permits may operate at the maximum weight allowed under the Texas registration laws.

Purchasing In Advance

Owners can purchase permits in advance of a proposed trip and several permits may be obtained at one time with the times of validity to run in chain-like fashion, having one permit become effective immediately upon the expiration of the preceding one.

Temporary 72-Hour or 144-Hour Permits are available at all county tax assessor-collector offices, the Motor Carrier Division, and any TxDMV Regional Service Center.

Note: Temporary 72-Hour or 144-Hour Permits issued by Texas are only valid in Texas.

Proof of ownership or Texas Safety Inspection is not a prerequisite to the issuance of a 72-Hour or 144-Hour Permit. However, a vehicle displaying a 72-Hour or 144-Hour Permit must pass the Texas Safety Inspection and display a current inspection sticker prior to being operated upon the highways. If the vehicle displays current out-of-state license plates or the vehicle is mobile drilling or servicing equipment used in the production of gas or crude petroleum oil, a Texas Safety Inspection is not required.

Applicants must present the same evidence of financial responsibility (insurance) as required for vehicle registration. An insurance company authorized to write insurance in Texas must provide the coverage. If the applicant is registered as a motor carrier with the Motor Carrier Division, a registration listing is acceptable instead of proof of liability insurance.

There is a fee of $25 per 72-Hour Permit; and a fee of $50 per 144-Hour Permit.

When issuing 72-Hour or 144-Hour Permits to trucks or truck-tractors with a gross weight in excess of 10,000 lbs. and semitrailers with gross weights in excess of 6,000 lbs. and the combined gross weight is greater than 18,000 lbs., permits should be issued as follows:

- A truck or truck-tractor displaying a 72-hour or 144-Hour Permit may not pull a semitrailer displaying a Token Trailer license plate. Token Trailer license plates are valid only when displayed on semitrailers pulled by vehicles registered with Combination, Forestry, Apportioned, or Seasonal Permit license plates for the combined gross weight of all the vehicles used in the combination. Therefore, if a pulling unit displays a 72-Hour or 144-Hour Permit, each semitrailer operated in combination must also display a 72-Hour or 144-Hour Permit or trailer registration.
- If a truck or truck-tractor displaying a Combination license plate pulls a semitrailer displaying a 72-Hour or 144-Hour permit, the pulling unit should be registered for the combined gross weight of all the vehicles in the combination. If the vehicle is not registered for a sufficient combined gross weight then the owner may increase the weight at the county, or may purchase a 72-Hour or 144-Hour Permit for the pulling unit. The permit qualifies the combination for the maximum gross weight permitted under the registration statutes.
- A vehicle displaying Truck license plates cannot legally pull a semitrailer displaying a Token Trailer license plate. The semitrailer would need to display a 72-Hour or 144-Hour Permit. This allows the owner to legally operate the combination without exchanging registration.
- An out-of-state licensed power unit can legally pull a semitrailer displaying a Texas Token Trailer license plate. The power unit must be registered for a combined gross weight of the truck, trailer, and the load. The out-of-state vehicle must display a 72-Hour or 144-Hour Permit on the pulling unit.
- A properly licensed out-of-state power unit operating in Texas under the International Registration Plan may operate interstate or intrastate in Texas while pulling a semitrailer displaying a Texas Token Trailer license plate or a Texas 72-Hour or 144-Hour Permit. The out-of-state power unit must be registered for the combined gross weight of the truck, trailer, and the load.
- No refunds may be applied after the issuance of a timed permit.

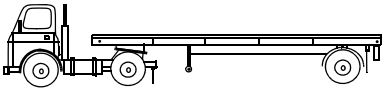
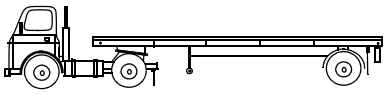
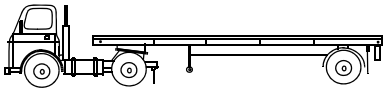
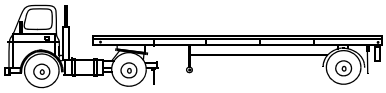
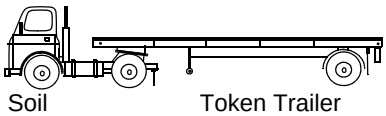
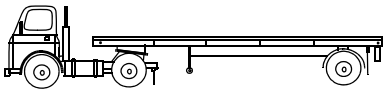
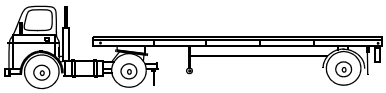
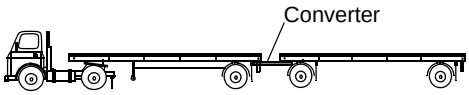
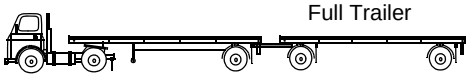
Application

By signing in the space provided on the back of the receipt (RTS 500), and checking the appropriate box, the applicant certifies to be a resident of the U.S., Mexico, or Canada and that the vehicle was not apprehended for a registration violation, and the vehicle is not junked, salvage or non-repairable. Owners or operators of vehicles apprehended for registration violations do not qualify for a 72-Hour or 144-Hour Permit. Such owners or operators must pay full registration and all applicable fees. The original copy of the receipt should be carried in the vehicle.

Combination Truck 72/144-Hour Permit Quick Reference

Table 16-1 lists various truck/trailer combinations and the appropriate way to issue 72/144-Hour Permits.

Table 16-1 Truck Combination 72/144-Hour Permit Quick Reference

Combination Type	Appropriate 72/144-Hour Permit
 No Registration	A commercial vehicle pulling a trailer or semitrailer is considered to be a combination of two vehicles and should be issued **two permits** when both are **unregistered**.
 Combination Plate Unregistered	A 72/144-Hour Permit should be issued for an unregistered trailer when being pulled by a commercial vehicle displaying a Combination license plate.
 Unregistered Regular Trailer Plates	A 72/144-Hour Permit should be issued for an unregistered commercial vehicle when pulling a trailer/semitrailer displaying regular Trailer license plates.
 Farm Truck Tractor Token Trailer	A commercial vehicle registered with Farm Truck-Tractor license plates cannot pull a trailer registered with Token Trailer license plates. The trailer would need to display a 72/144-Hour Permit.
 Soil Conservation Token Trailer	A commercial vehicle registered with Soil Conservation license plates may not pull a semi-trailer registered with Token Trailer license plates. The trailer would need to display 72/144-Hour Permit.
 Truck Plates Token Trailer or Unregistered	A commercial vehicle registered with Truck license plates may not pull a semitrailer registered with Token Trailer license plates. The trailer would have to display 72/144-Hour Permit.
 Farm Truck Tractor Farm Trailer	An owner may purchase a 72/144-Hour Permit when hauling a load of farm products in excess of 34,000 lbs. on a farm trailer.
 No Registration	Any commercial tractor pulling two semitrailers is considered to be a three-vehicle combination. Each vehicle must register with a separate 72/144-Hour Permit. Converter axles, jeep axles, and auxiliary axles are not required to register in Texas.
 Unregistered Regular Trailer Plates	An unregistered commercial vehicle operating with 72/144-Hour Permits may pull trailers or semitrailers registered with regular Trailer license plates.

16.2 One-Trip (single trip) or 30-Day Trip Permits

Transportation Code, Sec. 502.095. One-Trip or 30-Day Trip Permits

(a) The department may issue a temporary permit in lieu of registration for a vehicle subject to registration in this state that is not authorized to travel on a public highway because of the lack of registration in this state or the lack of reciprocity with the state or country in which the vehicle is registered.

(b) A permit issued under this section is valid for:

(1) one trip, as provided by Subsection (c); or

(2) 30 days, as provided by Subsection (d).

(c) A one-trip permit is valid for one trip between the points of origin and destination and those intermediate points specified in the application and registration receipt. Unless the vehicle is a bus operating under charter that is not covered by a reciprocity agreement with the state or country in which the bus is registered, a one-trip permit is for the transit of the vehicle only, and the vehicle may not be used for the transportation of any passenger or property. A one-trip permit may not be valid for longer than 15 days from the effective date of registration.

(d) A 30-day permit may be issued only to a passenger vehicle, a private bus, a trailer or semitrailer with a gross weight of not more than 10,000 pounds, a light truck, or a light commercial vehicle with a gross vehicle weight of more than 10,000 pounds that will operate unladen. A person may obtain multiple 30-day permits. The department may issue a single registration receipt to apply to all of the periods for which the vehicle is registered.

(e) A person may obtain a permit under this section by:

(1) applying as provided by the department to:

(A) the county assessor-collector of the county in which the vehicle will first be operated on a public highway; or

(B) the department in Austin or at one of the department's vehicle title and registration regional offices;

(2) paying a fee, in the manner prescribed by the department including a registration service charge for a credit card payment or escrow account of:

(A) $5 for a one-trip permit; or

(B) $25 for each 30-day period;

(3) furnishing evidence of financial responsibility for the vehicle in a form listed under Section 502.046(c).

(f) A registration receipt shall be carried in the vehicle at all times during the period in which it is valid. The temporary tag must contain all pertinent information required by this section and must be displayed in the rear window of the vehicle so that the tag is clearly visible and legible when viewed from the rear of the vehicle. If the vehicle does not have a rear window, the temporary tag must be attached on or carried in the vehicle to allow ready inspection. The registration receipt must be carried in the vehicle at all times during the period in which it is valid.

(g) The department may refuse and may instruct a county assessor-collector to refuse to issue a temporary registration for any vehicle if, in the department's opinion, the vehicle or the owner of the vehicle has been involved in operations that constitute an abuse of the privilege granted by this section. A registration issued after notice to a county assessor-collector under this subsection is void.

Operation of One-Trip Permit Vehicle: Offense

Transportation Code, Sec. 502.474. Operation of One-Trip Permit Vehicle.

A person commits an offense if the person operates a vehicle for which a one-trip permit is required without the registration receipt and properly displayed temporary tag.

One-Trip Permits

A One-Trip Permit is issued for the temporary movement of an **unladen** vehicle subject to the registration laws of this state. The permit is valid for a period of 15 days from the effective date, and the fee for this permit is $5. Registrants may purchase permits at any county tax assessor-collector's office, the Motor Carrier Division, and any TxDMV Regional Service Center.

One-Trip Permits may be issued for:

- A bus for the transit of the vehicle only. The vehicle shall not at the time of transit be used for the transportation of property or passenger, unless it is operated for charter from another state.
- A charter bus from another state or country may carry property and passengers.
- A private bus carrying property and passengers.
- A commercial vehicle with a camper unit mounted thereon (regardless of whether or not the camper unit is of the permanent or slide-in type).
- A commercial vehicle that is not transporting any passengers or property. The vehicle must be empty.
- A passenger car, the carrying of passengers and property is permitted.
- An unladen truck or truck-tractor operating in combination with an unladen trailer or semitrailer. If both vehicles are unregistered, two permits must be issued, one for each unit.
- Park Model trailers - A house trailer-type vehicle that is 400 square feet or less measured at the largest horizontal projections.
- A motorcycle.
- A trip in which the point of origin or the point of destination is in the State of Texas.

One-Trip Permits may not be issued for:

- Manufactured housing - A house trailer-type device that is 8 body feet or more in width or 40 body feet or more in length.
- A charter bus based in Texas that is transporting passengers.
- A commercial vehicle that is transporting the owner's household goods.
- A boat trailer that is carrying a boat.
- A laden luggage trailer or laden utility trailer.

- A vehicle carrying a fixed load regardless of whether the vehicle is conventional or unconventional.
- A vehicle that has been apprehended for operating unregistered.
- A junked, salvage, or nonrepairable vehicle.
- A trip that originates and terminates outside Texas.
- The movement of a laden commercial vehicle of any type, including luggage and utility trailers.

Requirements

Proof of ownership is not a requirement when purchasing a One-Trip Permit.

The applicant must present evidence of insurance in the minimum amounts prescribed by the Texas Motor Vehicle Safety Responsibility Act.

The vehicle displaying a current One-Trip Permit is exempt from displaying a current safety inspection sticker.

By signing in the space provided on the back of the receipt (RTS 500) and checking the appropriate box, the applicant certifies that the vehicle will not operate in violation of the law, will not carry a load and the vehicle is not junked, salvage or non-repairable. Owners or operators of vehicles apprehended for registration violations do not qualify for One-Trip Permits.

A One-Trip Permit is valid for one trip only between the point of origin and the point of destination and the intermediate point as shown on the receipt. The operator must show an intermediate point for the purpose of establishing a definite route.

- The permit must be displayed in the rear window of the vehicle, if the vehicle does not have a rear window, the operator must carry the receipt in the vehicle any time the vehicle is in-transit.
- The One-Trip Permit may be purchased prior to its start date.
- No refunds may be applied after the issuance of a timed permit.

30-Day Permits

The 30-Day Permit is valid for a period of 30 days from the effective date. The permit is available for passenger vehicles, motorcycles, private buses, trailers, and semitrailers with a gross weight not exceeding 10,000 lbs., and for light commercial vehicles not exceeding a gross vehicle weight of 10,000 lbs. A commercial vehicle exceeding a gross weight of 10,000 lbs. is eligible for the permit if operating unladen.

- The fee for a 30-Day Permit is $25.The operator may purchase the permit at any county tax assessor-collector's office or at any TxDMV Regional Service Center.
- Proof of insurance is required for a 30-Day Permit.
- Do not issue 30-Day Permits for a vehicle apprehended in this state for operating unregistered or with expired license plates. In such instances, the owner must purchase registration and pay a penalty equal to 20% of the applicable fee.
- Do not issue 30-Day Permits for the operation of a junked, salvage, or non-repairable vehicle.

- The permit must be displayed in the rear window of the vehicle, if the vehicle does not have a rear window, the operator must carry the receipt in the vehicle any time the vehicle is in-transit.

16.3 Nonresident-owned Farm Transport Vehicles

Transportation Code, Sec. 502.092. Nonresident-owned Vehicles Used to Transport Farm Products.

(a) The department may issue to a nonresident owner a permit for a truck, truck-tractor, trailer, or semitrailer that:

(1) is registered in the owner's home state or country; and

(2) will be used to transport:

(A) farm products produced in this state from the place of production to a place of market or storage or a railhead that is not more than 75 miles from the place of production;

(B) machinery used to harvest farm products produced in this state; or

(C) farm products produced outside this state from the point of entry into this state to a place of market, storage, or processing or a railhead or seaport that is not more than 80 miles from the point of entry.

(b) The department shall issue a receipt for a permit issued under this section in a manner provided by the department. The permit receipt must contain the information required by this section and be carried in the vehicle for which it is issued at all times during which it is valid. A permit issued under this section is valid until the earlier of:

(1) the date the vehicle's registration in the owner's home state or country expires; or

(2) the 30th day after the date the permit is issued.

(c) A person may obtain a permit under this section by:

(1) applying to the department in a manner prescribed by the department;

(2) paying a fee equal to 1/12 the registration fee prescribed by this chapter for the vehicle;

(3) furnishing satisfactory evidence that the motor vehicle is insured under an insurance policy that complies with Section 601.072 and that is written by:

(A) an insurance company or surety company authorized to write motor vehicle liability insurance in this state; or

(B) with the department's approval, a surplus lines insurer that meets the requirements of Chapter 981, Insurance Code, and rules adopted by the commissioner of insurance under that chapter, if the applicant is unable to obtain insurance from an insurer described by Paragraph (A); and

(4) furnishing evidence that the vehicle has been inspected as required under Chapter 548.

(d) A nonresident owner may not obtain more than three permits under this section during a registration year.

(e) A vehicle for which a permit is issued under this section may not be operated in this state after the permit expires unless the owner:

(1) obtains another temporary permit; or

(2) registers the vehicle under Section 502.253, 502.254, 502.255, or 502.256, as appropriate, for the remainder of the registration year.

(f) A vehicle for which a permit is issued under this section may not be registered under Section 502.433.

(g) A mileage referred to in this section is a state highway mileage.

Nonresident-owned Farm Transport Vehicles: Offense

Transportation Code, Sec. 502.477. Nonresident-owned Vehicles Used to Transport Agricultural Products: Offense

(a) A person operating a vehicle under a permit issued under Section 502.092 commits an offense if the person transports farm products to a place of market, storage, or processing or a railhead or seaport that is farther from the place of production or point of entry, as appropriate, than the distance provided for in the permit.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than $25 or more than $200.

Nonresident Agricultural Permit - Texas Products

Temporary nonresident registration may be issued for the movement of farm products (wheat, oats, rye, barley, grain sorghums, flax, rice, cotton, vegetables in bulk, field crates, or bags) and all other agricultural products produced in Texas. The permit may also be used in the movement of machinery such as combines and implements of husbandry used to harvest such commodities.

The permit is valid for the movement from the Texas place of production of such farm products to market, storage, or railhead provided such destination is not more than 75 miles from the place of production.

The permit must be issued for sufficient weight to transport the heaviest gross load to be transported during the permit's validity by the nonresident.

Not more than three temporary registration permits may be issued to a nonresident owner during a registration year. To operate a commercial vehicle in Texas after the expiration of the third permit, the operator must obtain a temporary 72/144-Hour Permit.

- The Temporary Nonresident Registration Permit is valid for a 30-Day period inclusive of the date of issuance.
- Do not issue permits to vehicles apprehended for registration violations.
- The applicant should complete the *Application for Movement of Agriculture Products by a Nonresident*, **Form VTR-52-B** prior to the issuance of the permit. Only one copy of the form is required, and the issuing county tax office retains the copy.

- Each vehicle in a combination must be issued a separate permit. The permit fee is based on the gross weight of the vehicle. Issue the permit for sufficient weight to transport the heaviest gross load hauled during the permit's validity.
- The fee is calculated by taking 1/12th of the applicable annual registration fee.
- The 11% diesel fee must be collected for trucks or truck-tractors that have a gross vehicle weight exceeding 18,000 lbs.
- The registration permit receipt contains a system generated permit number and a pre-printed message instructing the applicant the receipt must be carried in the vehicle.
- Proof of insurance is required prior to the issuance of this permit.
- Proof of issuance of a Texas Safety Inspection sticker is not a prerequisite to the issuance of this permit.

Nonresidents Agricultural Permit - Out-of-State Products

Temporary nonresident registration may be issued for the movement of farm products produced outside of Texas but marketed or processed in Texas or moved to points in Texas for shipment. The permit is valid for not more than 80 miles from the point of entry into the State of Texas.

The vehicle for which this permit is issued must be legally registered in the nonresident owner's home state for the current registration year. The owner’s home state registration must remain valid for the period of time that the Texas temporary registration permit is valid.

No more than three temporary registration permits may be issued to a nonresident owner during a registration year. To operate a commercial vehicle in Texas after the expiration of the third permit, the nonresident must register the vehicle with regular Texas license plates or temporary 72/144-Hour Permit. The vehicles cannot qualify for Farm Truck license plates.

- The Nonresident Registration Permit is valid for a 30-Day period, inclusive of the date of issuance.
- Do not issue permits to vehicles apprehended for registration violations.
- The applicant should complete the *Application for Movement of Agriculture Products by a Nonresident*, **Form VTR-52-B**, prior to the issuance of the permit. Use only one copy of the form and retain the copy in the issuing office.
- Each vehicle in a combination must be issued a separate permit. The permit fee is based on the gross weight of the vehicle. Issue the permit for sufficient weight to transport the heaviest gross load hauled during the permits validity.
- The fee is calculated by taking 1/12th of the applicable annual registration fee.
- Collect the 11% diesel fee for diesel trucks or truck-tractors that have a gross vehicle weight exceeding 18,000 lbs.
- The registration permit receipt contains a system generated permit number and a pre-printed message instructing the applicant the receipt must be carried in the vehicle.
- Proof of insurance is required prior to the issuance of this permit.

16.4 Vehicle Transit Permit - Private Party Sale

If a car or truck is sold and the seller keeps the Texas license plates, the buyer may print a Vehicle Transit Permit to legally drive the vehicle home or to the county tax assessor-collector's office.

Vehicle buyers may obtain a Vehicle Transit Permit by visiting the department's website at www.TxDMV.gov. The Vehicle Identification Number (VIN) is required to be entered. Only one Vehicle Transit Permit may be issued

- The Vehicle Transit Permit is valid for 5 days.
- Vehicle Transit Permits are only issued for cars and trucks.
- License plates may be obtained at the county tax office when the vehicle is titled and registered.
- Financial responsibility is required to legally operate a motor vehicle in Texas.
- If traveling outside Texas, verify that the permit is valid for operation in the jurisdiction(s) being traveled.

16.5 Temporary Permit (Lights Out)

A Temporary Permit (VTR-24-SP) may be issued at no charge, in the event a sticker cannot be printed through the system, due to power failure or equipment failure. The permit will be valid for 15 working days from the date of issuance. A Temporary Permit will only be issued when the customer provides a renewal and is intended for use only by the county tax office.

Chapter 17

TRANSFER OF REGISTRATION WHEN APPLYING FOR TITLE

This chapter contains the following sections:

- ***17.1*** Notice of Sale or Transfer
- ***17.2*** Dealer Sales
- ***17.3*** Invalidation of Registration
- ***17.4*** Delivery of Receipt and Title to Transferee
- ***17.5*** Plate to Owner Transactions
- ***17.6*** Transfer of Used Vehicle

17.1 Notice of Sale or Transfer

Transportation Code, Sec. 503.005. Notice of Sale or Transfer.

(a) A manufacturer or dealer shall immediately notify the department if the manufacturer or dealer transfers, including by sale or lease, a motor vehicle, trailer, or semitrailer to a person other than a manufacturer or dealer.

(b) The notice must be in writing using the form provided by the department and must include

(1) the date of the transfer;

(2) the names and addresses of the transferrer and transferee; and

(3) a description of the vehicle.

(c) A dealer who submits information to the database under Section 503.0631 satisfies the requirement for the dealer to notify the department of the sale or transfer of a motor vehicle, trailer, or semitrailer under this section.

(d) The notice required under this section is in addition to the application for vehicle registration and certificate of title a dealer is required to submit under Section 501.0234.

17.2 Dealer Sales

Upon the sale of a motor vehicle by a licensed Texas motor vehicle dealer, the selling dealer must complete and file all documents necessary to transfer title to the motor vehicle and/or register the vehicle in the name of the buyer. The dealer must collect and remit any applicable sales tax, title, and registration fees to the local county tax assessor-collector where purchased, encumbered, or the buyer (owner) resides, as directed by the buyer on the *County of Title Issuance,* **Form VTR-136**.

The dealer is required to file the paperwork with the county tax assessor-collector's office within 30 days from the date of sale. A $10 late transfer penalty is charged for failure to meet this requirement. (Transportation Code 501.145 and 501.146)

Seller-financed transactions by dealers have 45 days (calendar days) from the date of delivery (date of title assignment) of the vehicle to the buyer to apply for title before penalty fees are imposed.

Transportation Code, Sec. 503.063. Buyer's Temporary Tags.

(a) Except as provided by this section, a dealer shall issue to a person who buys a vehicle one temporary buyer's tag for the vehicle.

(b) Except as provided by this section, the buyer's tag is valid for the operation of the vehicle until the earlier of:

(1) the date on which the vehicle is registered; or

(2) the 60th day after the date of purchase.

(c) The dealer:

(1) must show in ink on the buyer's tag the actual date of sale and any other required information; and

(2) is responsible for displaying the tag.

(d) The dealer is responsible for the safekeeping and distribution of each buyer's tag the dealer obtains.

(e) The department may not issue a buyer's tag or contract for the issuance of a buyer's tag but shall prescribe:

(1) the specifications, color, and form of a buyer's tag; and

(2) procedures for a dealer to:

(A) generate a vehicle-specific number using the database developed under Section 503.0631 and assign it to each tag;

(B) generate a vehicle-specific number using the database developed under Section 503.0631 for future use for when a dealer is unable to access the Internet at the time of sale; and

(C) clearly display the vehicle-specific number on the tag.

(f) The department shall ensure that a dealer may generate in advance a sufficient amount of vehicle-specific numbers under Subsection (e)(2)(B) in order to continue selling vehicles for a period of up to one week in which a dealer is unable to access the Internet due to an emergency. The department shall establish an expedited procedure to allow affected dealers to apply for additional vehicle-specific numbers so they may remain in business during an emergency.

(g) For each buyer's temporary tag, a dealer shall charge the buyer a registration fee of not more than $5 as prescribed by the department to be sent to the comptroller for deposit to the credit of the Texas Department of Motor Vehicles fund.

A Texas dealer must issue a $5 Temporary Buyer's Tag for all retail vehicle sales. If the vehicle is not for public sale or the dealer is out-of-state, the $5 Buyer's Tag does not apply. The tag must be displayed on the vehicle until the vehicle is registered with the department.

17.3 Invalidation of Registration

Current registration will be invalidated at the time a vehicle is traded in to a Texas dealer and subsequently sold to a new owner. Removal of the license plates are for passenger vehicles and light trucks only. The dealer is required to collect registration fees for a minimum of 12 months (except for registrations with fixed expiration months such as Combination, which may be less than 12 months) at the time of application for Texas title.

The proper calculation of registration fees will be based on the following criteria:

- Title Transaction Date, and
- Dealer Number (General Distinguishing Number).

The Dealer Number field should:

- Contain only complete Texas motor vehicle dealer numbers, including any leading "P," and, in the case of a trailer dealer, trailing "X."
- NOT contain a salvage dealer number, out-of-state dealer number, or any non-alphanumeric characters such as asterisks or dashes.

In a private party sale, a vehicle owner may remove the license plates and registration sticker. Any remaining registration stays with the vehicle, regardless of whether the license plates and registration sticker are removed.

17.4 Delivery of Receipt and Title to Transferee

Transportation Code, Sec. 501.0721. Delivery of Receipt and Title to Purchaser of Used Motor Vehicle.

A person, whether acting for that person or another, who sells, trades, or otherwise transfers a used motor vehicle shall deliver to the purchaser at the time of delivery of the vehicle a properly assigned title or other evidence of title as required under this chapter.

Used Vehicles

When a used vehicle is transferred, the seller must furnish the purchaser with a properly assigned certificate of title, and an *Application for Texas Title,* **Form 130-U**, along with a copy of the current registration receipt (or the county tax office may verify the registration through the system).

Registration fees for an unregistered used vehicle are collected for a new 12 month period inclusive of the month of issuance.

A motor vehicle may be titled without being registered. Refer to the Title Manual for more information.

17.5 Plate to Owner Transactions

Transportation Code, Sec. 502.491. Transfer of Vehicle Registration.

(a) On the sale or transfer of a vehicle, the registration insignia issued for the vehicle shall be removed. The registration period remaining at the time of sale or transfer expires at the time of sale or transfer.

(b) On a sale or transfer of a vehicle in which neither party holds a general distinguishing number issued under Chapter 503, the part of the registration period remaining at the time of the sale or transfer shall continue with the vehicle being sold or transferred and does not transfer with the license plates or registration validation insignia. To continue the remainder of the registration period, the purchaser or transferee must file the documents required under Section 501.145.

(c) On the sale or transfer of a vehicle to a dealer, as defined by Section 503.001, who holds a general distinguishing number issued under Chapter 503, the registration period remaining at the time of the sale or transfer expires at the time of the sale or transfer. On the sale of a used vehicle by a dealer, the dealer shall issue to the buyer new registration documents for an entire registration year.

(d) If the transferor has paid for more than one year of registration, the department may credit the transferor for any time remaining on the registration in annual increments.

Transportation Code, Sec. 504.901. Transfer and Removal of License Plates.

(a) On the sale or transfer of a motor vehicle to a dealer who holds a general distinguishing number issued under Chapter 503, the dealer shall remove each license plate issued for the motor vehicle. A person may use the license plates removed from a motor vehicle on a new motor vehicle purchased from a dealer after the person obtains the department's approval of a title and registration application.

(b) On the sale or transfer of a motor vehicle to a person who does not hold a general distinguishing number issued under Chapter 503, the seller may remove each license plate issued for the motor vehicle. The license plates may be transferred to another vehicle titled in the seller's name if the seller obtains:

(1) the department's approval of an application to transfer the license plates; and

(2) a new registration insignia for the motor vehicle.

(c) A license plate removed from a motor vehicle that is not transferred to another motor vehicle must be disposed of in a manner specified by the department.

(d) To be eligible for transfer, license plates must be appropriate for the class of vehicle to which the plates are being transferred.

(e) This section applies only to:

(1) a passenger vehicle with a gross weight of 6,000 pounds or less; and

(2) a light truck with a gross weight of 10,000 pounds or less.

Licensed dealers are required to remove the general issue license plates and registration sticker from a passenger car or truck sold, traded, or transferred to the dealer. There are three options for plate disposition:

- The owner may transfer the plates to a vehicle to be purchased, if the classification is the same.
- The owner may keep the plates for future transfer to another vehicle (the sticker is not transferred).
- If plates are not transferred or kept by the owner, they must be disposed of by defacing the front of the plates, either with indelible black ink or use another method to prevent fraudulent use.

In private party sales, the law is permissive regarding plate disposition. Vehicle owners may remove their license plates and registration sticker. The same three options as above for plate disposition apply.

There is no fee to transfer a plate.

Transfer Eligibility

Eligibility for the license plate transfer must be determined before processing in the system. Owners may transfer license plates on passenger cars with a gross vehicle weight less than 6,000 lbs. and trucks with a gross vehicle weight less than or equal to 10,000 lbs. with the same classification type (e.g., passenger to passenger or truck to truck).

Prior to transferring license plates in the system, a no-fee inquiry should be run to determine the name and plate age on record. This information contained on the inquiry determines if the plates may be transferred.

If the owner wants to transfer license plates to the same classification of vehicle, (passenger to passenger, truck to truck are the only classifications that are allowed to be transferred) the transfer should be allowed unless:

- The name on the record does not match the name of the plate owner (if the record has already changed, you may still allow transfer if the customer can provide a prior registration receipt in his/her name), or
- The plate age in the system is seven years or more.

If the plate age cannot be determined through the system because the vehicle has been transferred, and the customer is unable to provide an estimate of the plate's age then the plate age of three should be entered.

If the plate is six years old, inform the customer of the “needs program” that requires license plate replacement every seven years due to loss of reflectivity. Allow customers to decide if they still want to transfer their plates or have a new set of plates issued at no charge.

Note the following:

- On private party sales, registration remains with the vehicle from which the license plates were removed.
- All other fees are due and should be collected.
- A replacement fee is not charged if new plates and registration sticker are issued.

Example Scenarios

The following are Plate to Owner scenarios that may be encountered.

Title Transfer with License Plates

An individual purchases a vehicle from a dealer or another individual. There are no license plates on the vehicle but the individual has a set of license plates they want to transfer.

Verify the license plate ownership:

- Through the system (no fee inquiry), or
- Registration renewal receipt in the customer's name.

Verify the license plate age:

- Through the system (no fee inquiry),
- Approximation from customer, or
- If not shown in the system (or if unknown, enter “3” for plate age).

Process the title transfer as usual and remember to:

- Check the Plate to Owner Transfer check box,
- Enter plate number being transferred, and
- Enter plate age.

Exchange license plates to a vehicle already titled in owner's name

An individual wants to transfer license plates removed from a vehicle (sold previously) to another vehicle titled in their name (exchange).

Process the exchange as usual (if the vehicle is currently registered), remember to:

- Check the Plate to Owner Transfer check box,
- Enter plate number being transferred, and
- Enter plate age.

Note: To transfer license plates to an unregistered vehicle already titled in the owner's name, go to the registration renewal event to process.

17.6 Transfer of Used Vehicle

Transportation Code, Sec. 501.147. Vehicle Transfer Notification.

(a) On receipt of a written notice of transfer from the seller of a motor vehicle, the department shall indicate the transfer on the motor vehicle records maintained by the department. As an alternative to a written notice of transfer, the department shall establish procedures that permit the seller of a motor vehicle to electronically submit a notice of transfer to the department through the department's Internet website. A notice of transfer provided through the department's Internet website is not required to bear the signature of the seller or include the date of signing.

(b) The notice of transfer shall be provided by the department and must include a place for the seller to state:

(1) a complete description of the vehicle as prescribed by the department;

(2) the full name and address of the seller;

(3) the full name and address of the purchaser;

(4) the date the seller delivered possession of the vehicle to the purchaser;

(5) the signature of the seller; and

(6) the date the seller signed the form.

(c) This subsection applies only if the department receives notice under Subsection (a) before the 30th day after the date the seller delivered possession of the vehicle to the purchaser or in accordance with Section 152.069, Tax Code. After the date of the transfer of the vehicle shown on the records of the department, the purchaser of the vehicle shown on the records is rebuttably presumed to be:

(1) the owner of the vehicle; and

(2) subject to civil and criminal liability arising out of the use, operation, or abandonment of the vehicle, to the extent that ownership of the vehicle subjects the owner of the vehicle to criminal or civil liability under another provision of law.

(d) The department may adopt rules to implement this section.

(e) This section does not impose or establish civil or criminal liability on the owner of a motor vehicle who transfers ownership of the vehicle but does not disclose the transfer to the department.

(f) The department may not issue a title or register the vehicle until the purchaser applies for a title to the county assessor-collector as provided by this chapter.

(g) A transferor who files the appropriate form with the department as provided by, and in accordance with, this section, whether that form is a part of a title or a form otherwise promulgated by the department to comply with the terms of this section, has no vicarious civil or criminal liability arising out of the use, operation, or abandonment of the vehicle by another person. Proof by the transferor that the transferor filed a form under this section is a complete defense to an action brought against the transferor for an act or omission, civil or criminal, arising out of the use, operation, or abandonment of the vehicle by another person after the transferor filed the form. A copy of the form filed under this section is proof of the filing of the form.

Sale of Vehicle

When a vehicle is sold or transferred, the recorded owner(s) shown on the certificate of title should notify the department of the sale.

The notice must be received within 30 days of the date of sale for the buyer to be presumed as the owner for liability purposes. If received later than 30 days after the date of sale, the notification will be accepted and the sale date will be recorded.

The owner may submit notice by using any of the following methods:

- File the vehicle transfer notification (VTN) online through the department's web site (www.TxDMV.gov).

- Complete and mail a *Texas Motor Vehicle Transfer,* **Form VTR-346** to the following address:
  Vehicle Titles and Registration Division
  P.O. Box 26417
  Austin, TX 78755-0417
- Complete and submit to a TxDMV Regional Service Center, the *Texas Motor Vehicle Transfer Notification*, **Form VTR-346**.
- A written request with all the required information may be submitted in lieu of the prescribed form. Such request must include the:
  - vehicle identification number,
  - license plate number,
  - full name and address of the seller,
  - full name and address of the buyer,
  - date the seller delivered possession of the vehicle to the buyer,
  - signature of the seller, and
  - date the seller signed the form.

Note: All requested information must be complete. The date of sale of the vehicle cannot be prior to the issue date on the existing title.

Upon receipt of the notification, the vehicle record is updated with the date of transfer and the notation “Vehicle Transferred.”

The motor vehicle title record remains in the name of the last recorded owner(s) until the buyer files a new application for title and a new certificate of title is issued.

Chapter 18

SPECIALTY AND PERSONALIZED PLATES

This chapter contains the following sections:

- ***18.1*** Specialty License Plates
- ***18.2*** Personalized License Plates
- ***18.3*** Souvenir License Plates

18.1 Specialty License Plates

General Provisions

Transportation Code, Sec. 504.002. General Provisions.

Unless expressly provided by this chapter or by department rule:

(1) except for license plates specified as exempt, the fee for issuance of a license plate, including replacement plates, is in addition to each other fee that is paid for at the time of the registration of the motor vehicle and shall be deposited to the credit of the Texas Department of Motor Vehicles fund;

(2) if the registration period is greater than 12 months, the expiration date of a specialty license plate, symbol, tab, or other device shall be aligned with the registration period, and the specialty plate fee shall be adjusted pro rata, except that if the statutory annual fee for a specialty license plate is $5 or less, it may not be prorated;

(3) the department is the exclusive owner of the design of each license plate;

(4) if a license plate is lost, stolen, or mutilated, an application for a replacement plate must be accompanied by the fee prescribed by Section 502.060; and

(5) the department shall prepare the designs and specifications of license plates.

Transportation Code, Sec. 504.601. General Provisions Applicable to Specialty License Plates for General Distribution.

(a) Unless expressly provided by this subchapter or department rule:

(1) the fee for issuance of a license plate under this subchapter is $30; and

(2) of each fee received under this subchapter, the department shall use $8 to defray its administrative costs in complying with this subchapter.

(b) This section does not apply to a specialty license plate marketed and sold by a private vendor at the request of the specialty license plate sponsor under Section 504.6011.

Application and Fees

Most non-qualifying specialty license plates are available for a $30 fee in addition to vehicle registration fees. God Bless America and God Bless Texas plates are available for a $40 fee. These plates are issued for a 12-month registration period. The fee and the *Application for a Specialty License Plate*, **Form VTR-999** should be submitted to the local county tax assessor-collector. Most specialty plates may be ordered online at www.texas.gov.

Mailing Specialty License Plates

- If the specialty plate is ordered at the county tax office and assigned to the vehicle record, the specialty plates will be mailed directly to the customer.
- Specialty plates that have not been assigned to the vehicle record (for example, new Internet orders); the specialty plate will be mailed to the county tax assessor-collector's office.

Eligible Vehicles

Most specialty license plates are available on the following vehicle registration types:

- Trailer,
- Travel Trailer,
- Private Bus,
- Motorcycle,
- Passenger, and
- Truck.

To verify what plates are available for a specific vehicle type, visit www.texas.gov.

Personalized Specialty Plates

A personalization fee of $40 in addition to registration fees is charged if the specialty plate can be personalized. Most military specialty plates may also be personalized.

If the specialty plate is not renewed, 60 days after the expiration, the system will purge the specialty plate and the personalization is available for purchase.

Refunds

If the application for a personalized specialty plate is rejected, the applicant has the option of choosing another personalization or a refund.

A refund will be issued for the $40 personalization fee. Of the $30 specialty plate fee, only $8 will be refunded. The applicant must request the remaining $22 from the sponsoring agency.

Synchronizing Specialty License Plate Fees and Motor Vehicle Registration

The system allows the expiration dates of the specialty plate and the vehicle registration to be synchronized to the furthest date out, and for the county to collect at least 12 months of vehicle registration. The system automatically calculates any additional fees based on a per-month prorated amount.

Texas Temporary Insignia for Specialty Plates

A Texas Temporary Insignia for specialty plates will print automatically when a specialty plate is ordered and linked to a vehicle record. Special characters and the International Symbol of Access (ISA) symbol do not print on the temporary insignia. Applicants should be instructed to use their Disabled Person Parking Placard until the specialty plate is available.

The temporary insignia is valid for 60 calendar days from date of issuance. If the original temporary insignia is lost, stolen, or mutilated, a duplicate insignia is available and valid for the same time period as the original insignia.

Specialty Plates Reference

Current specialty license plate information is available in the system online at the department's web site, and at www.texas.gov.

New Specialty License Plates Creation

Transportation Code, Sec. 504.801. Creation of New Specialty License Plates by the Department.

(a) The department may create new specialty license plates on its own initiative or on receipt of an application from a potential sponsor. A new specialty license plate created under this section must comply with each requirement of Section 504.702 unless the license is created by the department on its own initiative. The department may permit a specialty license plate created under this section to be personalized. The redesign of an existing specialty license plate at the request of a sponsor shall be treated like the issuance of a new specialty license plate.

(b) Any nonprofit entity may submit an application to the department to sponsor a new specialty license plate. An application may nominate a state agency to receive funds derived from the issuance of the license plates. The application may also identify uses to which those funds should be appropriated.

(c) The department shall design each new specialty license plate in consultation with the sponsor, if any, that applied for creation of that specialty license plate. The department may refuse to create a new specialty license plate if the design might be offensive to any member of the public, if the nominated state agency does not consent to receipt of the funds derived from issuance of the license plate, if the uses identified for those funds might violate a statute or constitutional provision, or for any other reason established by rule. At the request of the sponsor, distribution of the license plate may be limited by the department.

(d) The fee for issuance of license plates created under this subchapter before November 19, 2009, is $30 unless the department sets a higher fee. This subsection does not apply to a specialty license plate marketed and sold by a private vendor at the request of the specialty license plate sponsor.

(d-1) The fee for issuance of license plates created under this subchapter on or after November 19, 2009, is the amount established under Section 504.851.

(e) For each fee collected for a license plate issued by the department under this section:

(1) $8 shall be used to reimburse the department for its administrative costs; and

(2) the remainder shall be deposited to the credit of:

(A) the specialty license plate fund, which is an account in the general revenue fund, if the sponsor nominated a state agency to receive the funds; or

(B) the Texas Department of Motor Vehicles fund if the sponsor did not nominate a state agency to receive the funds or if there is no sponsor.

(f) Subchapter D, Chapter 316, Government Code, and Section 403.095, Government Code, do not apply to fees collected under this subchapter.

(g) The department may report to the legislature at any time concerning implementation of this section. The report may include recommendations concerning the appropriations, by amount, state agency, and uses, that are necessary to implement the requests of sponsors.

(h) The department may vary the design of a license plate created under this section to accommodate or reflect its use on a motor vehicle other than a passenger car or light truck.

(i) The sponsor of a new specialty plate may not be a for-profit enterprise.

Specialty Plates Authorized After January 1, 1999

Transportation Code, Sec. 504.702. Specialty License Plates Authorized After January 1, 1999.

(a) This section applies only to specialty license plates that are authorized to be issued by a law that takes effect on or after January 1, 1999.

(b) The department may manufacture the specialty license plates only if a request for manufacture of the license plates is filed with the department. The request must be:

(1) made in a manner prescribed by the department;

(2) filed before the fifth anniversary of the effective date of the law that authorizes the issuance of the specialty license plates; and

(3) accompanied by a deposit of $8,000.

(c) [Repealed by Acts 2011, 82nd Leg., ch. 1296(H.B. 2357), 247(21), effective January 1, 2012.

(d) If a request is not filed with the department before the date specified by Subsection

(e) The department may issue license plates under:

(1) Section 504.614 for a particular professional sports team only if $8,000 has been deposited with the department for that sports team; or

(2) Section 504.615 for a particular institution of higher education or private college or university only if $8,000 has been deposited with the department for that institution, college, or university.

(f) Money deposited with the department under Subsection (b)(3) or (e) shall be returned by the department to the person who made the deposit after 800 sets of plates have been issued.

18.2 Personalized License Plates

General Provisions

Transportation Code, Sec. 504.101. Personalized License Plates.

The department shall issue personalized license plates, including those sold by the private vendor under a contract with the department as provided by Section 504.851.

Transportation Code, Sec. 504.102. Personalization of Specialty License Plate.

Unless expressly prohibited by this chapter or department rule, any specialty license plate issued under this chapter may be personalized. If a specialty license plate is personalized, the fee for personalization of the specialty license plate shall be added to the fee for issuance of that specialty license plate.

Criteria for Approval

The plate may not be:

- currently issued to another owner;
- indecent (defined as including a reference to a sex act, an excretory function or material, or sexual body parts);
- vulgar (defined as curse words);
- derogatory (defined as an expression of hate directed toward people or groups that is demeaning to people or groups, or associated with an organization that advocates such expressions);
- a reference to illegal activities or substances, or implied threats of harm;
- a misrepresentation of law enforcement or other governmental entities and their titles; or
- in conflict with the department's current or proposed regular license plate numbering system.

The plate may contain spaces, dashes, periods, hearts, or a silhouette of Texas in conjunction with the approved selection, depending on available space.

Leased Vehicle

Specialty license plates may be issued to a person with a leased vehicle if the county verifies a copy of the lease agreement.

Registration Period

Specialty license plates are issued for a 12-month registration period. The expiration date is determined by the month in which the application is received.

When an applicant obtains a specialty license plate, additional fees may be collected to establish a single expiration date for both the specialty plate and the vehicle registration.

Assigning to a Vehicle

Specialty license plates are not assigned to a vehicle until the county tax assessor-collector links the plate to the vehicle in the system. The plates may be issued to any vehicle that the applicant owns or leases as long as the vehicle classification or plate type does not prohibit assignment.

Assigning to a Vehicle Currently Registered

The title must be in the applicant's name (joint ownership is permissible), unless:

- the applicant has legal right of possession and control of the vehicle then an affidavit must be completed and attached to the application.
- the applicant has a leased vehicle, then the county should verify the lease agreement. If the vehicle is currently registered, the applicant must surrender their plates and receipt to the county tax office in exchange for the specialty plates.

Local county fees and other additional fees are not collected when adjusting registration that is less than 12 months.

In the system, the expiration dates are synchronized for both the specialty plate and the vehicle registration. This is determined by using whichever expiration period is the furthest out (either vehicle registration expiration or specialty plate expiration).

To accomplish this single expiration, the annual specialty plate fee or the vehicle registration may be prorated. Examples include:

- When a vehicle has registration expiration in July and the applicant obtains specialty plates in November, the system will collect four additional months of registration fees and the expiration (registration/specialty plate) will be November.
- When a vehicle has registration expiration in December and the applicant obtains specialty plates in September, the system will collect three additional months of specialty plate fees and the expiration (registration/specialty plate) will be December.

Note: If an applicant does not want to attach the specialty license plate to a vehicle they own, the applicant may obtain the plate without requiring the specialty plate to be linked to a vehicle. This type of purchase is often referred to as a "wall hanger" (For example, Someone who orders a specialty plate so the personalization can be saved for later use on a vehicle.)

Renewal

The department mails a registration renewal notice to vehicle owners 60 days prior to expiration (including those not linked to a vehicle). Specialty license plates that are not renewed within 60 days after expiration will be purged from the system, and become available for reuse. Owners who allow their specialty license plates to expire are required to re-apply for the specialty license plate, or obtain general issue license plates.

Transfer

Do not transfer specialty license plates between persons unless:

- the transfer is approved by the department as consistent with statutory standards, and
- the recipient files an application with the county tax assessor-collector and pays the full annual fee.

Transfer Owner Responsibilities

The specialty license plate owner, at a subsequent date during the registration year, may elect to transfer the plates to another vehicle of the same classification. The specialty license plate owner must obtain a set of replacement license plates and registration sticker and pay the applicable replacement fee for the vehicle from which the specialty license plates and registration sticker is removed. The replacement plates retain the expiration currently assigned to the vehicle.

Replacement Specialty License Plates

If specialty license plates are lost, stolen, or mutilated, replacement plates may be obtained as indicated:

- The owner submits a written request to the county tax assessor-collector for replacement specialty license plates accompanied by a copy of the registration receipt.
- The county tax assessor-collector will:
  - order the replacement plates through the system,
  - issue a special plate registration insignia to the owner, and
  - collect the $6 replacement fee and other applicable fees.

After manufacture, the replacement plates are mailed directly to the customer.

If department records indicate the vehicle displaying the specialty license plates is stolen, the department will not issue replacement plates with the same pattern until the vehicle is recovered.

Note: The department will not approve the issuance of replacement license plates with the same personalized license plate number if the department's records indicate that the vehicle was reported stolen. The county tax assessor-collector will direct the customer to contact the department's Specialty Plates Section, so the owner may select a different personalized number at no charge, with the same expiration as the stolen specialty plates.

Replacement Registration Stickers

If a registration sticker is lost, stolen, or mutilated, issue a replacement sticker. The county collects the statutory $6/5 fee and other applicable fees.

Penalty

Specialty license plates displayed on vehicles other than those to which issued or transferred are subject to immediate cancellation. The department considers such vehicles unregistered and subject to registration according to their classification for the entire registration year. The vehicle operator is subject to a fine.

Disabled Persons Specialty License Plate

Disabled persons have the option of having their specialty license plate manufactured with the International Symbol of Access (ISA).

Applicants must submit a completed *Application for Persons with Disabilities Parking Placard and/or License Plate*, **Form VTR-214**. A person with a disability who wants to purchase a specialty license plate that does not display the ISA may retain disabled parking privileges by obtaining a Disabled Parking Placard for display on the rear view mirror (Transportation Code, Sec. 681.002. Disabled Parking Placard.).

Dealer Personalized License Plates

Expiration of Dealer personalized license plates coincide with the General Distinguishing Number (GDN) certificate expiration. The department issues a registration sticker that displays the dealer's GDN instead of the last eight digits of the vehicle identification number.

When renewing Dealer Personalized license plates, the county tax assessor-collector’s office must verify that the GDN is current.

Fees

Prorated fees do not apply to these plates. Collect the full annual fee regardless of when these plates are issued during the twelve-month period the dealer license is valid. The fee for initial applications is $85 ($45 for dealer plate fee plus $40 for Personalized license plate fee).

Replacement Fees

In the event dealer personalized license plates are lost, stolen or mutilated, the dealer can request replacement Dealer Personalized license plates for a plate fee of $91.00, which consists of:

- Dealer Plate Fee - $45 ($20 plate fee; and $25 use tax),
- Personalized Plate Fee - $40, and
- Replacement Cost - $6.

Do not process title transactions involving the transfer of specialty license plates using Dealer Title Application (DTA). Process any specialty license plate transactions at the county tax assessor-collector's office using the *Tax Collector's Receipt for Texas Title Application/Registration/Motor Vehicle Tax,* **Form VTR-31-RTS**.

18.3 Souvenir License Plates

Transportation Code, Sec. 504.009. Souvenir License Plates.

(a) The department may issue a souvenir version of any specialty license plate for any vehicle.

(b) The fee for a single souvenir license plate is $20. The fee shall be deposited to the credit of the Texas Department of Motor Vehicles fund unless the souvenir license plate is a replica of a specialty license plate issued under Subchapter G or I for which the fee is deposited to an account other than the Texas Department of Motor Vehicles fund, in which case:

(1) $10 of the fee for the souvenir license plate shall be deposited to the credit of the designated account; and

(2) $10 of the fee for the souvenir license plate shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

(c) If a souvenir license plate issued before November 19, 2009, is personalized, the fee for the plate is $40. Of the fee:

(1) $20 shall be deposited to the credit of the Texas Department of Motor Vehicles fund;

(2) $10 shall be deposited to the credit of the designated account if the souvenir license plate is a replica of a specialty license plate issued under Subchapter G or I for which the fee is deposited to a designated account other than the Texas Department of Motor Vehicles fund; and

(3) the remainder shall be deposited to the credit of the general revenue fund.

(c-1) The fee for a souvenir license plate issued on or after November 19, 2009, is the amount established under Section 504.851(c).

(d) A souvenir license plate may not be used on a motor vehicle, including a motorcycle, and is not an insignia of registration for a motor vehicle. Each souvenir license plate must be identified by the department in a way that identifies it to law enforcement officers and others as a souvenir license plate.

(e) A beneficiary of a specialty license plate issued under Subchapter G or I, as designated by the applicable section of those subchapters, may purchase the specialty license plates, in minimum amounts determined by the department, for use or resale by the beneficiary. The beneficiary shall pay the required fee per plate, less the amount of the fee that would be deposited to the credit of the designated account.

License Plate Pick Up by Non-Owner - Gift Plates

Administrative Code Rule, Sec. 217.28 states:

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

- the name and address of the person who will receive the plates, and
- the vehicle identification number of the vehicle on which the plates will be displayed.

Chapter 19

MILITARY SPECIALTY LICENSE PLATES

This chapter contains the following sections:

- ***19.1*** General Provisions
- ***19.2*** General Application Procedures
- ***19.3*** Disabled Veteran Specialty License Plates
- ***19.4*** Exemption from Parking Fees

19.1 General Provisions

Transportation Code, Sec. 504.301. Provisions Generally Applicable To Military Specialty License Plates.

(a) Unless expressly provided by this subchapter or department rule:

(1) the department shall design specialty license plates for the military; and

(2) a person is not eligible to be issued a specialty license plate under this subchapter if the person was discharged from the armed forces under conditions less than honorable.

(b) Notwithstanding any other provision of this subchapter, the department may design the wording on a specialty license plate authorized by this subchapter to enhance the legibility and reflectivity of the license plate.

(c) Section 504.702 does not apply to a specialty license plate issued under this subchapter.

19.2 General Application Procedures

Military specialty license plates are available to active or former members of the United States Armed Forces who have been honorably discharged. These plates are issued for a 12-month period.

Application and Fees

Refer to Table 19-1 for Quick Reference information:

Table 19-1 Military and Disabled Veteran License Plate Quick Reference

Plate Type	Trans Code	1st set	Add. sets	Repl	PLP*	Plate Type	Trans Code	1st set	Add. sets	Repl	PLP*
MERITORIOUS SERVICE						**RECOGNITION AWARD**					
Distinguished Flying Cross	§504.308	$0	$0 + Regis	$0	Y	Disabled Veteran (includes DV w/ Service Branch or Medal**)	§504.202	$3	$0 + Reg	$6	Y
Bronze Star Bronze Star with Valor Distinguished Service Medal	§504.315(a)	$0	$0 + Reg	$0	Y	Former POW	§504.315(c)	$3	$0 + Reg	$6	N
Congressional Medal of Honor	§504.315(e)	$0	$0 + Reg	$0	N	Pearl Harbor	§504.315(d)	$3	$0 + Reg	$6	Y
Legion of Valor Air Force Cross Army Distinguished Service Cross Navy Cross	§504.315(f)	$0	$0 + Reg	$0	Y	Purple Heart	§504.315(g)	$3	$0 + Reg	$6	Y
Silver Star	§504.315(h)	$0	$0 + Reg	$0	Y	Defense Superior Service Medal	§504.319	$0	$0 + Reg	$0	Y
Legion of Merit	§504.316	$0	$0 + Reg	$0	Y	Air Medal, Air Medal with Valor	§504.315 (a-1)	$0	$0 + Reg	$0	Y
MILITARY SERVICE											
WWII Veteran	§504.310	$0 + Reg	$0 + Reg	$6	Y	Armed Forces, Armed Forces - Retired & A.F. Honor Discharged***	§504.303/§ 504.3011	$0 + Reg	$0 + Reg	$6	Y
Korea Veteran	§504.311	$0 + Reg	$0 + Reg	$6	Y	U.S. Armed Forces Auxiliary Texas Wing Civil Air Patrol Coast Guard Auxiliary Marine Corps League	§504.304	$0 + Reg	$0 + Reg	$6	Y
Vietnam Veteran	§504.312	$0 + Reg	$0 + Reg	$6	Y	Texas National Guard	§504.305	$0 + Reg	$0 + Reg	$6	N
Desert Storm (Desert Shield) Veteran	§504.313	$0 + Reg	$0 + Reg	$6	Y	Armed Forces Reserves	§504.305	$0 + Reg	$0 + Reg	$6	N
Operation Iraqi Freedom	§504.3135	$0 + Reg	$0 + Reg	$6	Y	U.S. Paratrooper	§504.307	$0 + Reg	$0 + Reg	$6	Y
Operation Enduring Freedom, Enduring Freedom Afghanistan	§504.314	$0 + Reg	$0 + Reg	$6	Y	Military Academies U.S. Military (West Point) U.S. Naval U.S. Air Force U.S. Merchant Marine Academy U.S. Coast Guard Academy	§504.309	$0 + Reg	$0 + Reg	$6	Y

Plate Type	Trans Code	1st set	Add. sets	Repl	PLP*	Plate Type	Trans Code	1st set	Add. sets	Repl	PLP*
Woman Veteran	§504.317	$0 + Reg	$0 + Reg	$6	Y	U.S. Armed Forces - Honorably Discharged	504.3011	$0 + Reg	$0 + Reg	$6	Y
OTHER											
Gold Star: Mother Family Father Spouse	§504.408	$10 + Reg	One set per person	$6	Y	Surviving spouses of certain military veterans	§504.302	Same fees are required	One set per person	$6	Y
Surviving Spouse Disabled Veteran	504.317	$3	$0 + Reg	$6	Y						

Note: Renewal fees are the same as the fee for the 1st set of license plates, or if applicable, additional sets of plates.

*Personalized License Plate (PLP) - Issuance of PLP for qualifying military license plates are defined in law [§504.002(1)] and rule [§217.28(c)(8)(E)]. PLPs are issued for most, unless the plate design cannot accommodate personalization or the numbering pattern is specified in law. Meritorious plates with “Valor” must include the letter “V” in the pattern.

**Disabled Veteran License Plates - A set of Disabled Veteran (DV) license plates is allowed for each qualifying vehicle. Also, a disabled veteran can apply for a Disabled Parking Placard for each vehicle that displays DV plates. Disabled Veterans can park in disabled parking places. DVs who have been awarded a meritorious service medal (including the Purple Heart medal) may request an emblem of the medal on a DV plate, if eligible; or may request their service branch emblem (Air Force, Army, Coast Guard, Marines, Navy) on the DV plate.

General and eligibility requirements are listed on each application.

Personalization is available for certain military specialty plates for an additional $40 annual fee.

Title Requirements

The vehicle must be titled in the applicant's name (joint ownership with spouse is allowed). If the vehicle is titled in a name other than the applicant, the applicant must have the legal right of possession and control of the vehicle; and used for their own personal use. If the applicant has a leased vehicle, the lease agreement will be verified by the county.

Application

The completed application must be submitted with payment (if required) and proof of eligibility to the county tax assessor-collector's office.

Once approved, the county tax assessor-collector's office will order the specialty license plates and collect any applicable vehicle registration fee. A temporary registration insignia will be issued displaying the license plate number that will be issued.

International Symbol of Access

The International Symbol of Access (ISA) may be displayed on military specialty license plates.

- To request an ISA, applicants indicate on the appropriate form and attach a completed *Application for Persons with Disabilities Parking Placard and/or License Plate*, **Form VTR-214**, or

- If the applicant is an eligible disabled veteran, they may complete the *Application for Disabled Veteran License Plates and Parking Placard*, **Form VTR-615** in lieu of submitting a VTR-214.

Renewals

Each year the department mails registration renewal notices to vehicle owners who have current military specialty license plates.

Replacement Plates

If plates are lost, stolen, or mutilated, the owner may obtain replacement plates from a county tax assessor-collector's office. The owner signs the replacement affidavit on the back of the **VTR-500-RTS**. If applying by mail the customer may also complete an *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**.

The county tax assessor-collector will:

- order the replacement plates, and
- issue the customer a temporary registration insignia.

Replacement plates are mailed directly to the customer.

Transfers

Military specialty plates may be transferred to another vehicle:

- The owner will surrender the license plates, registration sticker, and registration receipt of the vehicle on which the military plates will be issued.
- For a newly-purchased vehicle, the applicant should surrender the current license plates and receipt to the county tax assessor-collector’s office at the time of title application.
- If the vehicle is titled in another name, a written statement must be submitted stating that the applicant has control or legal right of possession.
- If leased, the lease agreement should be verified by the county.

If the applicant purchased the vehicle from a dealer, the vehicle may be operated with a Dealer's Temporary tag for a period of up to 60 days pending the issuance of the specialty license plates. Otherwise, the owner cannot operate the vehicle until the plates arrive from the county tax assessor-collector’s office.

Surviving Spouse

The surviving spouse of a person who would be eligible for a military specialty license plate (except for Disabled Veteran License Plates) may register one motor vehicle as long as the spouse remains unmarried.

“Surviving Spouse Disabled Veteran” specialty plates are for spouses who were married to an eligible veteran who had previously obtained a “Disabled Veteran” plate. As with any surviving spouse, the person must remain unmarried. Application for *Surviving Spouse of a Veteran License Plates*, **Form VTR-425**, must be completed and the first set of plates is $3, additional sets are free, but annual registration fees are required.

Initial Application

Send initial applications for the following military meritorious service plates to the Specialty Plates Section at department Headquarters with the completed *Application for Military Meritorious Service License Plates*, **Form VTR-421**.

- Air Force Cross,
- Air Force Distinguished Service Medal,
- Air Medal,
- Air Medal with Valor,
- Army Distinguished Service Cross,
- Army Distinguished Service Medal,
- Bronze Star,
- Bronze Star with Valor,
- Coast Guard Distinguished Service Medal,
- Defense Superior Service Medal,
- Distinguished Flying Cross,
- Legion of Merit,
- Navy Cross,
- Navy Distinguished Service Medal,
- Silver Star, and
- Surviving Spouse.

Counties should process renewals of these military license plates through the system.

Disabled Veterans may obtain DV plates for each qualifying motor vehicle (car, truck with gross vehicle weight of 18,000 lbs. or less, or motorcycle), and may receive one disabled placard for each set of DV plates. Only first set DV plates ($3) without the ISA, may be issued to a vehicle with a gross weight greater than 18,000 lbs.

19.3 Disabled Veteran Specialty License Plates

Veterans with Disabilities

Transportation Code, Sec. 504.202. Veterans with Disabilities.

(a) A person entitled to specialty license plates under this section may register, for the person's own use, one vehicle without payment of any fee paid for or at the time of registration except the fee for the license plates. Registration under this section is valid for one year.

(b) A veteran of the United States armed forces is entitled to register, for the person's own use, motor vehicles under this section if:

(1) the person has suffered, as a result of military service:

(A) at least a 50 percent service-connected disability; or

(B) a 40 percent service-connected disability because of the amputation of a lower extremity;

(2) the person receives compensation from the United States because of the disability; and

(3) the motor vehicle:

(A) is owned by the person; and

(B) has a gross vehicle weight of 18,000 pounds or less.

(c) An organization may register a motor vehicle under this section if:

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

(2) the veterans are not charged for the transportation.

(d) A statement by the veterans county service officer of the county in which a vehicle described by Subsection (c) is registered or by the Department of Veterans Affairs that a vehicle is used exclusively to transport veterans with disabilities without charge is satisfactory proof of eligibility for an organization.

(e) Other than license plates issued under Subsection (h), license plates issued under this section must include:

(1) the letters "DV" on the plate if the plate is issued for a vehicle other than a motorcycle; and

(2) the words "Disabled Veteran" and "U.S. Armed Forces" at the bottom of each license plate.

(e-1) Other than license plates issued under Subsection (h), license plates issued under this section may include, on request:

(1) the emblem of the veteran's branch of service; or

(2) one emblem from another license plate to which the person is entitled under Section 504.308, 504.315, 504.316, or 504.319.

(f) The fee for the first set of license plates is $3. There is no fee for each additional set of license plates.

(g) A person who receives license plates under this section may receive a disabled parking placard under Section 681.004 for each set of license plates without providing additional documentation.

(h) A person entitled to license plates under this section may elect to receive license plates issued under Chapter 502 under the same conditions for the issuance of license plates under this section.

(i) A license plate with the letters "DV" may be personalized with up to four characters.

Disabled Veteran Eligibility

Texas residents, who are veterans of the U.S. Armed Forces, and who, because of military service, receive compensation from the Federal Government for a service-connected disability of at least 50% or at least 40% due to the amputation of a lower extremity are entitled to receive Disabled Veteran (DV) license plates. The fee for the first set of DV license plates is $3 (no annual registration fee required). Additional sets may be obtained for the annual registration fee and other applicable fees.

A veteran who qualifies for DV plates may register a vehicle with a gross vehicle weight of 18,000 lbs. or less. Only first set DV plates ($3) without the ISA may be issued to a vehicle with a gross vehicle weight greater than 18,000 lbs.

Vehicles must be used for the veteran's own personal use and:

- Titled in Texas in the name of the veteran (joint ownership is allowed).
- If titled in a name other than that of the veteran, the veteran must have the legal right of possession and control of the vehicle; and it must operate for the veteran's own personal use.

If the veteran has a leased vehicle, the county will verify the lease agreement.

Disabled Veteran License Plates

The words “Disabled Veteran U.S. Armed Forces” appears at the bottom of each license plate.

The disabled veteran may opt for one set of general issue license plates for the $3 fee in lieu of DV plates; the county must contact the Specialty Plates Section in order for the plates to be issued. The applicant must surrender their current $3 set of DV plates, if applicable.

For each set of DV plates issued, the applicant may also obtain a disabled parking placard. The *Application for Persons with Disabilities Parking Placard and/or License Plate,* **Form VTR-214** is not required.

Disabled Veteran Organizations

Plates may be issued to an organization used exclusively for the transportation, without charge, of disabled veterans. The Veterans County Service Officer of the local county or the Veterans Affairs regional office must state that the vehicle is exclusively used for the transportation of disabled veterans without charge.

A qualified organization may register one motor vehicle with Disabled Veteran license plates, provided the vehicle weighs 18,000 lbs. or less. First set DV plates at $3, without the ISA may be issued to a vehicle with a gross vehicle weight greater than 18,000 lbs. If a citation is given for a vehicle displaying Disabled Veteran license plates being used for purposes other than to transport disabled veterans, full registration fees must be paid and a penalty equal to 20% of the registration fee must be collected.

Parking Privileges

Transportation Code, Sec. 681.008. Parking Privileges: Certain Veterans and Military Award Recipients.

(a) A vehicle may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities if the vehicle:

(1) is being operated by or for the transportation of:

(A) the person who registered the vehicle under Section 504.202(a) or a person described by Section 504.202(b) if the vehicle is registered under that subsection; and

(B) displays special license plates issued under Section 504.202; or

(2) displays license plates issued by another state of the United States that indicate on the face of the license plates that the owner or operator of the vehicle is a disabled veteran of the United States armed forces.

(a-1) A vehicle described by Subsection (a) may be parked for an unlimited period in a parking space or area that is designated specifically for person with physical disabilities on the property of an institution of higher education, as defined by Section 61.003, Education Code, regardless of whether a permit is generally required for the use of the space or area. An institution of higher education may require a vehicle described by Subsection (a) to display a parking permit issued by the institution specifically for the purpose of implementing this subsection, but may not charge a fee for the permit. This subsection does not entitle a person to park a vehicle described by Subsection (a) in a parking space or area that has not been designated specifically for persons with physical disabilities on the property of the institution if the vehicle has not been granted or assigned a parking permit required by the institution.

(a-2) Subsection (a-1) does not apply to a parking space or area located in:

(1) a controlled access parking facility if at least 50 percent of the number of parking spaces or areas designated specifically for persons with physical disabilities on the property of the institution of higher education are located outside a controlled access parking facility;

(2) an area temporarily designated for special event parking; or

(3) an area where parking is temporarily prohibited for health or safety concerns.

(b) A vehicle on which license plates described by Subsection (a)(2) or issued under Section 504.202, Section 504.310, 504.315, or 504.316, or 504.319 are displayed is exempt from the payment of a parking fee collected through a parking meter charged by a governmental authority other than a branch of the federal government, when being operated by or for the transportation of:

(1) the person who registered the vehicle under Section 504.202(a), Section 504.310, 504.315, or 504.316, or 504.319;

(2) a person described in Section 504.202(b) if the vehicle is registered under that subsection; or

(3) the owner or operator of a vehicle displaying license plates described by Subsection (a)(2).

(c) This section does not permit a vehicle to be parked at a time when or a place where parking is prohibited.

(d) A governmental unit may provide by ordinance or order that the exemption provided by Subsection (b) also applies to payment of a fee or penalty imposed by the governmental unit for parking in a parking garage or lot or in a space with a limitation on the length of time for parking.

19.4 Exemption from Parking Fees

Owners of vehicles displaying Air Medal, Air Medal with Valor, Bronze Star, Bronze Star with Valor, Congressional Medal of Honor, Distinguished Service Medal, Defense Superior Service Medal, Disabled Veteran, Former Prisoner of War, Legion of Merit, Legion of Valor (Air Force Cross, Distinguished Service Cross, Army Distinguished Service Cross, or Navy Cross), Pearl Harbor Survivor, Purple Heart, Silver Star, or World War II license plates may be exempt from the payment of parking fees. This includes a fee collected through a parking meter, charged by a governmental authority other than a branch of the federal government. Vehicles parking in a parking garage or lot may only be parked for the length of time designated and cannot park where parking is prohibited. These vehicles are only exempt from the parking fees if they are being operated by or for the transportation of the person who registered the vehicle with the above mentioned license plates.

Vehicles with Disabled Veteran license plates may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities on the property of an institution of higher education regardless of whether a permit is generally required for the use of the space or area. For more information about campus parking privileges, please contact the institution of higher education.

Chapter 20

RESTRICTED DISTRIBUTION SPECIALTY LICENSE PLATES

This chapter contains the following sections:

- ***20.1*** Restricted Plates Quick Reference
- ***20.2*** State Officials and Judges
- ***20.3*** Occupational License Plates
- ***20.4*** Organizational License Plates
- ***20.5*** Gold Star
- ***20.6*** Honorary Consuls
- ***20.7*** Foreign Organization Vehicles
- ***20.8*** Texas Association of Realtors

20.1 Restricted Plates Quick Reference

Table 20-1 lists information on restricted specialty plates, including their required fees, forms, and appropriate statutes.

Table 20-1 Restricted Plates Quick Reference

Plate Name	Plate Fee	Description	Form	Personalize	Transportation Code, Section
State Officials	$0	State Official (including State Legislators), U.S. Congress, County Judge	None	No (ISA allowable)	504.401 504.402 504.403 504.404 504.405
Emergency Medical Services Personnel	$8	Emergency Medical Services Personnel may receive one set of plates	VTR-312	Yes	504.514
Professional Fire Fighters	$30	Member of International Association of Firefighters	VTR-310	Yes	504.801
Certified Fire Fighters (former Volunteer)	$40	Certified by State Firemen's and Fire Marshals Association of Texas	VTR-311	Yes	504.513
Fire Protection Personnel	$30	Certified by the Texas Commission on Fire Protection	VTR-311	Yes	504.513
Peace Officer	$20	Wounded in the line of duty as a peace officer, or surviving spouse, parent, brother, sister or adult child of a person killed on duty	VTR-406	Yes	504.511

Plate Name	Plate Fee	Description	Form	Personalize	Transportation Code, Section
(Mobile Amateur) Radio Operator	$0	Must be a mobile amateur radio operator who regularly operates equipment in vehicle	VTR-53	No	504.415
Texas Constables	$0	Must be certified as a constable by a county judge	VTR-426	Yes	504.406
American Legion	$30	Members of the American Legion	VTR-415	Yes	504.659
Texas Association of Realtors	$30	Member of the Texas Association of Realtors	VTR-415	Yes	504.801
Gold Star	$10	Issued to the mother, father, surviving spouse or immediate family member of a person who died while serving in the U.S. Armed Forces	VTR-423	Yes	504.512
Honorary Consul	$40	Authorized by the U.S. government to perform consular duties	VTR-65	No	504.515
Foreign Organization Vehicles	$0	Foreign Organizations recognized by the U.S. government before January 1, 1979, but still currently without official representation in or diplomatic relations with the U.S.	VTR-62-A (Contact Specialty Plates Section)	No	504.4061

Note: General and eligibility requirements are listed on the applicable form. Proof of financial responsibility (insurance) must be verified by the county tax assessor-collector upon initial registration or renewal.

20.2 State Officials and Judges

This section provides general procedures for State Official and Judge license plates, referred to in this chapter as State Official license plates.

Transportation Code, Sec. 504.400. Fees for Certain Restricted Plates.

The department shall issue, without charge, not more than three sets of specialty license plates under this subchapter.

Transportation Code, Sec. 504.401. State Officials.

(a) The department shall issue specialty license plates to a state official.

(b) [Repealed by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), 247(11), effective January 1, 2012.]

(c) The registration remains valid until December 31 of each year.

(d) In this section, "state official" means:

(1) a member of the legislature;

(2) the governor;

(3) the lieutenant governor;

(4) a justice of the supreme court;

(5) a judge of the court of criminal appeals;

(6) the attorney general;

(7) the commissioner of the General Land Office;

(8) the comptroller;

(9) a member of the Railroad Commission of Texas;

(10) the commissioner of agriculture;

(11) the secretary of state; or

(12) a member of the State Board of Education.

Transportation Code Sec. 504.402. Members of Congress.

(a) The department shall issue specialty license plates to members of congress, which must include the words "U.S. Congress."

(b) [Repealed by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), 247(12), effective January 1, 2012.]

(c) The license plates remain valid until December 31 of each year.

Transportation Code, Sec. 504.403. State and Federal Judges.

(a) The department shall issue specialty license plates for a current or visiting state or federal judge. The license plates must include the words "State Judge" or "U.S. Judge," as appropriate.

(b) [Repealed by Acts 2011, 82nd Leg., ch. 1290 (H.B. 2017), 44(4), effective September 1, 2011 and by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), 247(13), effective September 1, 2011.]

(c) [Repealed by Acts 2011, 82nd Leg., ch. 1290 (H.B. 2017), 44(4), effective September 1, 2011.]

(d) In this section:

(1) [Repealed by Acts 2011, 82nd Leg., ch. 1290 (H.B. 2017), 44(4), effective September 1, 2011.]

(2) "State judge" means:

(A) a justice of the supreme court;

(B) a judge of the court of criminal appeals;

(C) a judge of a court of appeals of this state;

(D) a district court judge;

(E) a presiding judge of an administrative judicial district; or

(F) a statutory county court judge.

Transportation Code, Sec. 504.404. Federal Administrative Law Judges.

(a) The department shall issue specialty license plates to current federal administrative law judges that bear the words "U.S. A. L. Judge."

Transportation Code, Sec. 504.405. County Judges.

(a) The department shall issue specialty license plates for current county judges of this state that bear the words "County Judge."

(b) [Repealed by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), 247(15), effective January 1, 2011.]

(c) In this section, "county judge" means the judge of the county court established by Section 15, Article V, Texas Constitution.

Eligible Persons

State Official, U.S. Congress, State/County Judge, and U.S. Judge license plates are available to members of the legislature. This includes certain other State Officials in the Capitol complex and Judges. The registration for State Official license plates expires annually on December 31st. Beginning in December 2011, registration stickers were issued in lieu of new license plates being issued each year. State Official license plates must be used on vehicles the State Official owns or controls.

There are two plate options for state legislators:

- SO plate with "SO" as the prefix, or
- SO Capital plate with an "H" or "S" prefix - for House or Senate members, as applicable.

State Officials may have up to three license plates; however, applicants are not allowed to mix the two different design choices for their vehicles.

Standard Registration Renewal Notice

A standard registration renewal notice for State Official plates is sent prior to expiration. State Officials may renew their vehicles:

- at a county subcontractor where available (sometimes found in grocery stores),
- online at www.texas.gov (if applicable),
- by mail, or
- in person.

Fee

State Official plates are issued at no charge; however, registration fees apply.

Plates are Not Transferable

State Official plates must be removed any time a vehicle is sold, traded-in or transferred to a different owner.

- State Official plates may be placed on a newly acquired vehicle after payment of the registration fee for the remaining portion of the registration year.
- If the State Official is acquiring a currently registered vehicle, adjust the registration expiration date of the currently registered vehicle to conform to the December 31 expiration date of the State Official registration period.

Replacement

If a State Official plate is lost, stolen, or mutilated, the owner must contact the county tax assessor-collector to request a replacement set to be manufactured. The county will issue a Texas Temporary Insignia for specialty plates and contact the Specialty Plates Section to process the manufacturing order.

Personalized/Specialty State Official License Plates

State Official plates cannot be personalized through the system. Contact the Specialty Plates Section for requests for personalized or other specialty plate requests.

Plates with International Symbol of Access

State Officials are eligible for the International Symbol of Access (ISA) on one set of plates, and must complete the *Application for Disabled Person Parking Placard and/or License Plate*, **Form VTR-214**, so that the county may contact the Specialty Plates Section to have the set of plates with the ISA manufactured.

State Officials Leaving Office

If a State Official relinquishes office during the elected tenure or is not re-elected, the official must surrender the specialty license plates to the county tax assessor-collector and purchase a set of general issue replacement license plates.

20.3 Occupational License Plates

This section contains generic procedures for the following specialty plates:

- Emergency Medical Services (EMS),
- Fire Fighters,
- Professional,
- Certified (formerly Volunteer) Fire Protection Personnel,
- Peace Officer,
- Radio Operator, and
- Texas Constable.

Transportation Code, Sec. 504.406. Texas Constables.

The department shall issue specialty license plates for Texas constables that bear the words "Texas Constable."

Transportation Code, Sec. 504.415. Vehicles Carrying Mobile Amateur Radio Equipment.

The department shall issue specialty license plates for a person who holds an amateur radio station license issued by the Federal Communications Commission and who operates receiving and transmitting mobile amateur radio equipment. The license plates shall include the person's amateur call letters as assigned by the Federal Communications Commission. A person may register more than one vehicle equipped with mobile amateur radio equipment under this section, and the department shall issue license plates that include the same amateur call letters for each vehicle.

Transportation Code, Sec. 504.511. Peace Officers Wounded or Killed in Line of Duty.

(a) The department shall issue specialty license plates for:

(1) a person wounded in the line of duty as a peace officer; or

(2) a surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a person killed in the line of duty as a peace officer.

(b) License plates issued under this section must include the words "To Protect and Serve" above an insignia depicting a yellow rose superimposed over the outline of a badge.

(c) The fee for issuance of the license plates is $20.

(d) In this section, "peace officer" has the meaning assigned by Section 1.07, Penal Code.

Transportation Code, Sec. 504.513. Firefighters.

(a) The department shall issue specialty license plates for:

(1) volunteer firefighters certified by:

(A) the Texas Commission on Fire Protection; or

(B) the State Firemen's and Fire Marshals' Association of Texas; and

(2) fire protection personnel as that term is defined by Section 419.021, Government Code.

(b) A person may be issued not more than three sets of license plates.

Transportation Code, Sec. 504.514. Emergency Medical Services Personnel.

(a) The department shall issue specialty license plates for emergency medical services personnel certified by the Department of State Health Services under Subchapter C, Chapter 773, Health and Safety Code.

(b) The fee for issuance of the license plates is $8.

(c) A person may be issued only one set of the license plates.

Fees

Specialty plate fees vary for these plates; registration fees apply. See Table 20-1.

20.4 Organizational License Plates

American Legion

Transportation Code, Sec. 504.659. Members of American Legion.

(a) The department shall issue specialty license plates for members of the American Legion. The license plates shall include the words "Still Serving America" and the emblem of the American Legion. The department shall design the license plates in consultation with the American Legion.

(b) The fee for the license plates is $30.

(c) After deduction of $8 to reimburse the department for its administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of the American Legion, Department of Texas account in the state treasury. Money in the account may be used only by the Texas Veterans Commission in making grants to the American Legion Endowment Fund for scholarships and youth programs sponsored by the American Legion, Department of Texas.

20.5 Gold Star

Transportation Code, Sec. 504.512. Gold Star Mother, Father, Spouse, or Family Member.

(a) The department shall issue a specialty license plate for the mother, father, or surviving spouse or an immediate family member of a person who died while serving in the United States armed forces. License plates issued under this section must include the words "Gold Star Mother," "Gold Star Father," "Gold Star Spouse," or "Gold Star Family" and a gold star. A person may not be issued more than one set of the license plates at a time.

(a-1) In this section "immediate family member" means the parent, child, or sibling of a person who died while serving in the United States armed forces.

(b) The fee for issuance of the license plates is $10.

Eligible Persons

Gold Star license plates are available to eligible family members of persons who died while serving in the U.S. Armed Forces at a cost of $10 per year in addition to registration fees. One set may be issued per applicant. Proof that the person is eligible under this section must be shown at the time of application.

Application

The vehicle must be titled in the applicant's name or joint ownership. If the vehicle is titled in another person's name, the applicant must have the legal right of possession and control of the vehicle. The applicant must complete the affidavit on the *Application for Gold Star License Plates*, **Form VTR-423**. If the applicant has a leased vehicle, the county will verify the lease agreement. The owner may transfer these plates to another vehicle.

20.6 Honorary Consuls

Transportation Code, Sec. 504.515. Honorary Consuls.

(a) The department shall issue specialty license plates for a person who is an honorary consul authorized by the United States to perform consular duties. License plates issued under this section must include the words "Honorary Consul."

(b) The fee for issuance of the license plates is $40.

Eligible Persons

Honorary Consul license plates may be issued to Honorary Consuls authorized by the U.S. government to perform consular duties.

To qualify for Honorary Consul license plates:

- The applicant must be an Honorary Consul authorized by the U.S. government to perform consular duties.
- A Texas title must be in the applicant's name. Joint ownership is permissible.
- If the vehicle is leased, the lease agreement must be attached to the application.

Application

Fees collected for Honorary Consul license plates pay directly to the department. The fee is $40, in addition to registration fees and applicable local fees.

Application is made to the Specialty Plates Section using *Application for Honorary Consul License Plates*, **Form VTR-65**. Unlimited sets of plates may be issued. A separate application must be submitted for each vehicle.

Renewal

Each year a special registration renewal notice letter is mailed to each vehicle owner with Honorary Consul license plates. The renewal letter is preprinted with the appropriate renewal fee and advises the owner to complete the form, and return it to the Specialty Plates Section with:

- the proper registration renewal fee,
- proof that the owner is still an authorized representative to perform consular duties, and
- proof of liability insurance.

Replacements

If Honorary Consul license plates are lost, stolen, or mutilated, the owner may obtain replacement Honorary Consul license plates from the Specialty Plates Section for a fee of $6. Application for such plates may be made on the *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**, or by letter that states the reason for the replacement. Advise the owner to surrender the current registration receipt and any remaining plates for cancellation.

Vehicle Sold

In such instances, the county tax collector registers the vehicle for one year from the date of application under the same conditions as an unregistered new or out-of-state vehicle. Under no circumstances, issue regular replacement license plates for a former Honorary Consul license plated vehicle.

Cancellation

If the owner of a vehicle registered with Honorary Consul license plates ceases to be an Honorary Consul, or if the owner disposes of the vehicle during the year and has no intentions of registering another vehicle with Honorary Consul license plates, the owner must return the specialty plates for cancellation.

Transfers

The owner may transfer Honorary Consul plates to a newly acquired vehicle.

20.7 Foreign Organization Vehicles

Transportation Code, Sec. 504.4061. Foreign Organization Vehicles.

(a) The department shall issue specialty license plates for an instrumentality established by a foreign government recognized by the United States before January 1, 1979, that is without official representation or diplomatic relations with the United States. The license plates must include the words "Foreign Organization" and shall remain valid for seven years.

(b) A person entitled to specialty license plates under this section may register the vehicle without payment of any fee paid for or at the time of registration.

Eligible Persons

Foreign Organization license plates may be issued to Foreign Organizations recognized by the U.S. government before January 1, 1979, but still currently without official representation or diplomatic relations with the U.S.

- Foreign Organization license plates are issued on a seven-year basis with a set month of expiration in September (example: September 2014) to those vehicles owned by organizations recognized by the U.S. government.
- The applicant must be a Foreign Organization authorized by the U.S. instrumentality of a foreign government.
- A Texas title must be in the applicant's name. Joint ownership is permissible.
- If the vehicle is leased, a copy of the lease agreement must be attached to the application (Attach a completed *Leased Vehicle Affidavit*, **Form VTR-62-L**, to the **Form VTR-62-A**).
- If a lien exists on the vehicle, the applicant must file for title through the county tax office with a **Form 130-U**, and evidence of ownership.

Application

Foreign Organization license plates are exempt license plates with the legend "Foreign Organization" on the plate.

Each Foreign Organization application may have as many sets of plates as desired.

To acquire Foreign Organization license plates, an applicant must submit an *Application for Standard Texas Exempt License Plates*, **Form VTR-62-A**, to the Specialty Plates Section.

A registration receipt will be issued directly to the applicant with the Foreign Organization license plates.

Replacement

If Foreign Organization license plates become lost, stolen, or mutilated, a completed *Replacement Affidavit for Exempt License Plates*, **Form VTR-62-A**, must be submitted directly to the department. The owner must remove and surrender any plate remaining on the applicant's vehicle with the exempt registration receipt for cancellation. The Foreign Organization replacement license plates are issued as a “no fee” replacement.

Vehicles Sold

When a vehicle is sold, the license plates and receipt must be surrendered for cancellation. The vehicle becomes unregistered.

- If a vehicle previously registered with Foreign Organization license plates is sold, the buyer must obtain registration at the time an application for title is filed.
- If the vehicle sells to another exempt agency, the purchasing agency must reapply for exempt registration.
- Do not transfer Foreign Organization license plates to a new owner.

Cancellation

If the owner of a vehicle registered with Foreign Organization license plates ceases to be an active member of a foreign government or the vehicle is disposed of, the owner must return the specialty plates for cancellation.

When the owner removes the Foreign Organization license plates the vehicle becomes unregistered and must be registered by the owner or by the buyer if sold.

Register the vehicle for one year from the date of application under the same conditions as an unregistered new or out-of-state vehicle.

Do not issue replacement license plates for a former foreign Organization license plates vehicle.

Transfers

The owner may transfer the Foreign Organization plates to a newly acquired vehicle.

20.8 Texas Association of Realtors

Specialty license plate, Texas Association of Realtors (Transportation Code, Sec. 504.801. Creation of New Specialty License Plates by the Department.), is available for a $30 annual fee. Eligibility requires you to be a member of the Texas Association of Realtors and sign the statement on the application, **Form VTR-415**.

Chapter 21

MISCELLANEOUS SPECIALTY LICENSE PLATES

This chapter contains the following sections:

- ***21.1*** Antique and Former Military
- ***21.2*** Classic Motor Vehicles and Travel Trailer; Custom Vehicles; Street Rods
- ***21.3*** Nonprofit Disaster Relief Organizations
- ***21.4*** Religious Organizations Trailers and Semitrailers
- ***21.5*** Personalized Dealer License Plates

21.1 Antique and Former Military

Transportation Code, Sec. 504.502. Certain Exhibition Vehicles; Offense.

(a) The department shall issue specialty license plates for a passenger car, truck, motorcycle, or former military vehicle that;

(1) is at least 25 years old, if the vehicle is a passenger car, truck, or motorcycle;

(2) is a collector's item;

(3) is used exclusively for exhibitions, club activities, parades, and other functions of public interest and is not used for regular transportation; and

(4) does not carry advertising.

(b) The license plates must include the words "Antique Auto," "Antique Truck," "Antique Motorcycle," or "Military Vehicle," as appropriate.

(c) A person eligible for the license plates may instead use license plates issued by this state in the same year as the model year of the vehicle and approved by the department, provided that a passenger car must bear passenger car or truck license plates and a truck must bear passenger car or truck license plates. The department may require attachment of a registration insignia to the license plate in a manner that does not affect the display of information originally on the license plate.

(d) License plates issued or approved under this section expire on the fifth anniversary of the date of issuance or approval.

(e) The fee for issuance or approval of license plates under this section is:

(1) $10 for each year or portion of a year remaining in the five-year registration period if the vehicle was manufactured in 1921 or later; or

(2) $8 for each year or portion of a year remaining in the five-year registration period if the vehicle was manufactured before 1921.

(f) The department may exempt a former military vehicle from the requirement to display a license plate or registration insignia if the exemption is necessary to maintain the vehicle's accurate military markings. The department may approve an alternative registration insignia that is compatible with the vehicle's original markings.

(g) A person entitled to specialty license plates or to department approval under this section may register the vehicle without payment of any fees paid for or at the time of registration except the fee for the license plate.

(h) Notwithstanding any other provision of law, a vehicle issued license plates under Subsection (a) shall be required to attach and display only one license plate on the rear of the vehicle.

(i) In this section, "former military vehicle" means a vehicle, including a trailer, regardless of the vehicle's size, weight, or year of manufacture, that:

(1) was manufactured for use in any country's military forces; and

(2) is maintained to represent its military design and markings accurately.

(j) [Repealed by Acts 2011, 82nd Leg., ch. 1296 (H.B. 2357), 247(16), effective January 1, 2012.]

Transportation Code, Sec. 504.941. Antique Vehicles; Offense.

(a) A person who violates Section 504.502 commits an offense. An offense under this section is a misdemeanor punishable by a fine of not less than $5 or more than $200.

(b) It is an affirmative defense to prosecution under this section that at the time of the offense the vehicle was en route to or from a location for the purpose of routine maintenance of the vehicle.

Eligibility

Antique Vehicle

Antique Vehicle license plates are issued to owners of passenger cars, trucks, or motorcycles that are at least 25 years old. The vehicles must be assembled, complete, and have a frame, body, and motor that is at least 25 years old. The vehicles cannot display any advertising (except those originally used for a specific purpose i.e. 1958 milk delivery truck). Only one license plate is issued and displayed at the rear of the vehicle.

Former Military Vehicle

A passenger car, truck, motorcycle, or trailer, manufactured for use in any country's military forces and accurately represents its military design and markings, may be registered as a Former Military Vehicle. A Former Military Vehicle may be registered accordingly, regardless of the vehicle's size, weight, or year of manufacture. Vehicles with tracks cannot be registered.

Exemptions and Restrictions

For exceptions to Financial Responsibility, refer to Transportation Code, Sec. 601.052. Exceptions to Financial Responsibility Requirement.

This subsection provides an exemption from mandatory liability insurance for motor vehicles 25 years old or older or former military vehicles under the following conditions:

- The vehicle is operated only for exhibitions, club activities, parades, and other functions of public interest and not for regular transportation. Vehicles displaying Antique license plates or tabs may be driven to and from a location for routine maintenance.
- The owner of the vehicle has filed a sworn affidavit (SR-2) with the Texas Department of Public Safety stating that the vehicle is a collector's item and used solely for the aforementioned purposes.

Owners of motor vehicles 25 years old or older or former military vehicles which meet the limited use restriction provisions of this legislation may take advantage of this exemption by contacting:

Texas Department of Public Safety
Safety Responsibility Bureau
5805 North Lamar Boulevard
Box 4087
Austin, Texas 78773-0001
(512) 424-2600

Upon receipt of the affidavit of exemption (SR-2), an authorized agent of the Department of Public Safety signs, stamps, and dates the portion of the form designated "FOR DEPARTMENTAL USE ONLY." They file the original affidavit and return a copy the owner.

Under Transportation Code, Section 548.052, vehicles registered under the provisions of this act are exempt from compulsory vehicle safety inspection.

Plate Fees

An Antique license plate or Former Military Vehicle plate issues for a five-year period. Determine plate fees as follows:

- The plate fee for the five-year period for vehicles manufactured in 1921 and subsequent years is $50 and reduces $10 for each year of the period that has elapsed at the time the application is filed.
- The plate fee for vehicles manufactured in 1920 and prior years is $40 for the five-year period and reduces $8 for each year of the period that has elapsed at the time the application is filed.

Antique Vehicle Application

The *Application for Antique License Plates*, **Form VTR-54**, must be submitted directly to the county tax assessor-collector for approval. Proper evidence of ownership must support the application unless title has already been issued in the name of the applicant.

- If approved, the **c**ounty issues an Antique Vehicle license plate or a registration sticker. Any ownership papers previously submitted with the application will be returned to the applicant. The owner must submit proof of insurance or waiver from the Texas Department of Public Safety (SR-2), and pay the required fees.
- If title is not in the applicant's name, the owner must submit an application for title before issuance of the Antique Vehicle license plates or registration sticker.

An applicant for Antique Vehicle license plates has the option of displaying a set of old Texas license plates on the vehicle in lieu of department issued Antique Vehicle license plates if the old plates are issued in the same year as the year model of the antique vehicle. The following requirements must be met before the old license plates may be used on a vehicle:

- The old Texas license plates must be submitted along with the *Application for Antique Vehicle License Plates*, **Form VTR-54**, to the county tax assessor-collector for approval. The "old" license plate(s) must be in good condition and have the correct color scheme for that particular year.
- The county tax assessor-collector may approve passenger plates for use on a passenger vehicle or a truck. Truck plates may be approved for use on either a truck or passenger vehicle.
- If the old license plates were originally issued in sets, a single license plate may not be approved for Antique registration. The department did not issue Texas license plates for registration years 1918-22, and 1943-44. It issued registration discs or metal tabs to cover those particular years.

Use of old license plates on the same model year vehicle is valid only if approved by the county tax assessor-collector. For example, a 1919 vehicle would be required to display 1917 license plates with a 1919 registration disc.

- Single license plates, not sets, were issued during 1945 and 1946.
- Upon approval, the county issues the applicant a registration sticker to place onto a specially designed slotted metal tab. The applicant bolts the slotted metal tab onto the upper right-hand corner of the rear license plate for display.

Old plates will NOT be approved if:

- the license plate's original use was restricted by statute to another vehicle type,
- the license plate is a qualifying plate type that originally required the owner to meet one or more eligibility requirements, or
- the alphanumeric pattern of the personalized or general issue plate is currently in use on another Texas vehicle.

Note: Vehicles titled with a REPLICA brand are not eligible for Antique plates.

Former Military Vehicle Application

Applicants may use the serial number as assigned to the vehicle by the armed forces as the license plate number. These characters must be a minimum of two inches in height, and applied to the vehicle in a design and location that conforms to the vehicle's official military design and markings. Use the last six characters of the serial number as the license plate number. Registrants that use the approved stenciled number and/or letters will be issued a registration sticker. The owner must carry this registration sticker in, not attached to the vehicle.

The *Application for a Former Military Vehicle Specialty License Plate*, **Form VTR-135-M**, along with a photo of the vehicle must be submitted directly to the county tax assessor-collector for approval. Evidence of ownership must support the application, unless title has already been issued in the name of the applicant.

- If approved, a Former Military Vehicle specialty license plate or a registration sticker is issued. Ownership papers previously submitted with the application will be returned to the applicant. The owner must submit proof of insurance or waiver from the Texas Department of Public Safety (SR-2), and pay the required fees.
- If the title is not in the applicant's name, require an application for title before issuing a Former Military license plate or registration sticker.
- Owners pay the applicable specialty plate fee and the tax assessor-collector issues a registration receipt. The registration receipt must be carried in the vehicle at all times.

Renewal

A registration renewal notice is mailed every five years to each Antique Vehicle or Former Military Vehicle owner. The renewal form is preprinted with the appropriate renewal fee. The registration renewal notice is submitted to the county with:

- the proper renewal fee
- proof of insurance or DPS waiver (SR-2)

Replacement

If the department-issued Antique or Former Military plates or registration sticker are lost, stolen, or mutilated, replacement license plates and/or a registration sticker may be obtained from the county tax assessor-collector. The county may be required to issue a Texas temporary insignia for specialty plates if the replacement plate has to be ordered. The county tax assessor-collector collects the $5 replacement fee and any additional fees.

Vehicle Sold

If the owner sells the vehicle, the owner must remove the license plates and registration sticker from the vehicle prior to the sale. In such instances, the county tax collector registers the vehicle for one year from the date of application under the same conditions as an unregistered new or out-of-state vehicle. Under no circumstances will replacement license plates be issued for vehicles with Antique Vehicle or Former Military Vehicle license plates.

- If the buyer wants Antique plates, they must submit their own *Application for Antique License Plates*, **Form VTR-54**, directly to the county tax assessor-collector for approval. Proper evidence of ownership must support the application unless title has already issued in the name of the applicant.
- If the buyer does not want to obtain a Former Military Vehicle license plate or Antique license plates, they may obtain registration, and pay the registration fees for a period of 12 months from the date of application.

21.2 Classic Motor Vehicles and Travel Trailer; Custom Vehicles; Street Rods

Transportation Code, Sec. 504.501. Classic Motor Vehicles and Travel Trailers; Custom Vehicles; Street Rods.

(a) The department shall issue specialty license plates for a motor vehicle that is at least 25 years old or is a custom vehicle or street rod. The license plates must include the word or words "Classic," "Custom Vehicle," or "Street Rod," or a similar designation, as appropriate.

(b) A person eligible for the license plates may instead use license plates that were issued by this state in the same year as the model year of the vehicle and are approved by the department. The department may require the attachment of a registration insignia to the license plate in a manner that does not affect the display of information originally on the license plate.

(c) There is no fee for issuance or approval of license plates under this section.

(d) Notwithstanding Chapter 547, a custom vehicle or street rod eligible to receive license plates under this section is not required to be equipped with a specific piece of equipment unless the specific piece of equipment was required by statute as a condition of sale during the year listed as the model year on the certificate of title.

(e) On initial registration of a custom vehicle or street rod, the owner must provide proof, acceptable to the department, that the custom vehicle or street rod passed a safety inspection that has been approved by the department. The department shall create a safety inspection process for inspecting custom vehicles and street rods.

(f) In this section:

(1) "Custom vehicle" means a vehicle:

(A) that is:

(i) at least 25 years old and of a model year after 1948; or

(ii) manufactured to resemble a vehicle that is at least 25 years old and of a model year after 1948; and

(B) that:

(i) has been altered from the manufacturer's original design; or

(ii) has a body constructed from materials not original to the vehicle.

(2) "Street rod" means a vehicle:

(A) that was manufactured:

(i) before 1949; or

(ii) after 1948 to resemble a vehicle manufactured before 1949; and

(B) that:

(i) has been altered from the manufacturer's original design; or

(ii) has a body constructed from materials not original to the vehicle.

Classic Application

The *Application for Classic License Plates*, **Form VTR-850**, must be submitted directly to the county tax assessor-collector along with annual registration and other applicable fees. Customers who own passenger vehicles, motorcycles, travel trailers or trucks that are 25 or more years old may apply. Vehicles displaying classic registration may be operated without limited use restrictions.

Evidence of ownership must support the application unless title has already issued in the name of the applicant.

- If approved, the county will order the Classic license plate and issue a Texas Temporary Insignia for specialty plates, and registration sticker. Any documentation previously submitted with the application will be returned to the applicant. The owner must submit proof of insurance and pay the required fees.
- If the title is not in the applicant’s name, the owner must submit an application for title before issuance of the Classic license plates and registration sticker.

Use of Old Plates

An applicant for classic vehicle registration has the option of displaying a set of old Texas license plates on the vehicle in lieu of department issued Classic plates. The old plates must be the same year as the year model of the vehicle, be in good condition, and have that year’s correct color scheme.

- The county tax assessor-collector may approve passenger plates for use on a passenger vehicle or a truck.
- Truck plates may be approved for use on either a truck or a passenger vehicle.
- Classic Travel Trailers must have travel trailer plates.
- For the years 1945 and 1946, single license plates, not sets, were issued.
- For the years 1918-1922, 1943 and 1944, the department issued registration discs or metal tabs instead of license plates. Use of these license plates are valid only if approved. Upon approval, the county issues the applicant a registration sticker to place onto a specially designed slotted metal tab. The applicant attaches the tab to the upper right-hand corner of the rear license plate for display.

Old plates will **not** be approved if:

- the license plate's original use was restricted by statute to another vehicle type,
- the license plate is a qualifying plate type that originally required the owner to meet one or more eligibility requirements, or

- the alphanumeric pattern of the personalized or general issue plate is currently in use on another Texas vehicle.

Renewal

Registration renewal notices are mailed annually, and registration may be renewed by paying the annual registration fee and other applicable fees.

Replacement

If the Classic plates or registration sticker are lost, stolen, or mutilated, replacement license plates and/or a registration sticker may be obtained from the county tax assessor-collector. The county may be required to issue a Texas Temporary Insignia for specialty plates if the replacement Classic plate has to be ordered. The county tax assessor-collector collects the $5 replacement fee.

Vehicle Sold

If the owner sells the vehicle, the owner must remove the license plates and registration sticker from the vehicle prior to the sale. The vehicle registration stays with the vehicle.

If the buyer obtains old Texas plates for the vehicle, a new *Application for Classic License Plates*, **Form VTR-850**, must be submitted for approval to the county tax assessor-collector's office, along with the application for title in the new owner's name.

Custom Vehicle and Street Rod

Application

Before accepting an application for the Custom Vehicle or Street Rod specialty plate, the following conditions must be met:

- The vehicle must pass an Automotive Service Excellence (ASE) Safety Inspection, conducted by an ASE Certified Master Technician;
- The ASE Certified Master Technician must sign the *ASE Safety Inspection and Application for Custom Vehicle or Street Rod License Plates*, **Form VTR-852**; and
- The ASE Certified Master Technician must provide the applicant a printout of their ASE Certification Status (A1-A8) that is current at the time of inspection.

Since the Texas title for the vehicle **must** contain a REPLICA brand and reflect the year and make of the replica, it may be necessary for the customer to apply for a corrected title before making application for the specialty plates. If this is the case, the customer must also:

- Complete the *Application for Texas Title*, **Form 130-U**,
- Submit the original vehicle title,
- Four photos of the replica (front, rear, each side) must be submitted with the application, and
- Pay applicable title fees.

Note: The only circumstance in which a "REPLICA" brand would not be applied is when the model year is the true year of manufacturing. For more information on how to title these vehicles, please refer to the Assembled and Rebuilt Vehicle Manual.

There is no fee for the specialty license plate, but the annual registration and applicable local fees must be paid. The plate may be personalized for an additional fee of $40 per year.

Form VTR-852 is available at www.TxDMV.gov.

The application and if applicable, any title paperwork, should be forwarded to the Vehicle Titles and Registration Division in Austin in a separate bundle.

Send completed application packets to: Texas Department of Motor Vehicles, Vehicle Titles and Registration Division-SPB, Austin, TX 78779-0001.

As with any specialty license plate, the customer should allow 2-3 weeks for the application to be processed and the plates to be manufactured. If needed, a corrected title showing the REPLICA brand will also be mailed to the customer.

Renewal

Registration renewal notices are mailed annually, and registration may be renewed by paying the annual registration fee and other applicable fees.

Replacement

If the Custom Vehicle or Street Rod plates or registration sticker are lost, stolen, or mutilated, a new license plate or registration sticker may be obtained from the county tax assessor-collector. The county may be required to issue a Texas Temporary Insignia for specialty plates if the replacement Custom Vehicle or Street Rod plates have to be ordered. The county tax assessor-collector collects the $5 replacement fee.

Vehicle Sold

If the owner sells the vehicle, the owner must remove the license plates and registration sticker from the vehicle prior to the sale. The vehicle registration is invalidated. A new *ASE Safety Inspection and Application for Custom Vehicle or Street Rod License Plates*, **Form VTR-852** must be submitted for approval to the county tax assessor-collector's office, along with the application for title in the new owner's name and all applicable fees must be paid.

21.3 Nonprofit Disaster Relief Organizations

Transportation Code, Sec. 502.454. Vehicles Used by Nonprofit Disaster Relief Organizations.

(a) The owner of a commercial motor vehicle, trailer, or semitrailer may apply for registration under Section 502.451 and is exempt from the payment of the registration fee that would otherwise be required by this chapter if the vehicle is owned and used exclusively for emergencies by a nonprofit disaster relief organization.

(b) An application for registration under this section must include:

(1) a statement by the owner of the vehicle that the vehicle is used exclusively for emergencies and has not been used for any other purpose;

(2) a statement signed by an officer of the nonprofit disaster relief organization that the vehicle has not been used for any purpose other than emergencies and qualifies for registration under this section; and

(3) a reasonable description of the vehicle and the emergency equipment included in the vehicle.

(c) An applicant for registration under this section must pay a fee of $5.

(d) A commercial motor vehicle registered under this section must display the name of the organization that owns it on each front door.

(e) A vehicle registered under this section must display at all times an appropriate license plate showing the vehicle's status.

(f) A vehicle registered under this section that is used for any purpose other than an emergency may not again be registered under this section.

Commercial motor vehicles, trailers, and semitrailers owned and operated by nonprofit disaster relief organizations may obtain a Disaster Relief license plate for a fee of $5, provided such vehicles operate solely for emergency disaster relief work.

Application

Application for Disaster Relief Vehicle, **Form VTR-76**, must be completed and submitted to the county tax assessor-collector's office for approval. The tax assessor-collector retains the application, **Form VTR-76** for their records.

The affidavit on the form stating that the vehicle operates exclusively for emergencies and not for any other purposes must be signed by an officer of the nonprofit disaster relief organization stating that the vehicle is used solely for disaster relief. Disaster relief vehicles must be titled and are not exempt from title fees.

An organization making application for a Disaster Relief license plate must have the name of the organization displayed on each front door of the commercial motor vehicle.

Disaster Relief license plates expire annually on March 31.

Replacement

If the Disaster Relief license plates are lost, stolen, or mutilated, the owner may obtain replacement plates for a fee of $6. Application for such plates may be made on the *Application for Replacement License Plate(s), and/or Vehicle Registration Sticker*, **Form VTR-60**, or by letter that states the reason for the replacement. Advise the owner to surrender the current registration receipt and any remaining plates for cancellation. The county may be required to issue a Texas Temporary Insignia for specialty plates if the replacement plate has to be ordered. The county tax assessor-collector collects the $6 replacement fee.

Vehicle Sold

When a vehicle displaying a Disaster Relief license plate is sold to another qualified disaster relief organization, the buyer must submit a completed *Application for the Registration of a Disaster Relief Vehicle*, **Form VTR-76** with the application for title.

The owner must surrender the Disaster Relief license plate and registration receipt for cancellation if the buyer does not qualify for the plates. If the plates are surrendered, the vehicle then is unregistered and the new owner must register with general issue license plates for a period of 12 months. Do not issue general issue replacement license plates.

No credit is allowed for the surrendered Disaster Relief license plate.

21.4 Religious Organizations Trailers and Semitrailers

Transportation Code, Sec. 502.455. Trailers and Semitrailers Owned by Religious Organizations.

(a) A trailer or semitrailer may be registered without payment if the trailer or semitrailer is:

(1) owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code; and

(2) used primarily for the purpose of transporting property in connection with the charitable activities and functions of the organization.

(b) An application for registration under this section must include a statement signed by an officer of the religious organization stating that the trailer or semitrailer qualifies for registration under this section.

Eligibility

A trailer or semitrailer owned by an organization that qualifies as a religious organization under the Tax Code, Section 11.20, may qualify for registration without payment of registration fees. The trailer/semitrailer must operate primarily for transporting the property of the organization in connection with charitable activities of that organization.

Application

An officer authorized to act for the qualifying religious organization must complete the *Application for Standard Exempt License Plates*, **Form VTR-62-A.** The application, along with the *Application for Texas Title*, **Form 130-U**, and supporting evidence of ownership must be submitted to the county tax assessor-collector's office. If approved, the county will issue exempt license plates, which may remain with the trailer/semitrailer for as long as it is owned by the organization.

Eligible religious organizations are exempt only from payment of registration fees for the trailer or semitrailer. Qualifying as a "religious organization" under the Tax Code does not exempt an organization from payment of title fees or motor vehicle sales tax on trailers or semitrailers. Questions regarding payment of sales tax should be referred to the State Comptroller's Office.

Inscription Required

Transportation Code, Section 721.002 requires owners of exempt vehicles to indicate the name of the organization on the vehicle. The inscription must be letters that are at least two inches high or in an emblem that is at least 100 square inches in size and of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet.

Replacement

If the Exempt license plates are lost, stolen, or mutilated, an officer for the organization completes the replacement statement on the **Form VTR-62**-A and submits to the county. The owner must remove any plate remaining on the trailer/semitrailer and surrender it with the registration receipt previously issued for cancellation. The replacement license plates are issued as a “no fee” replacement.

Trailer/Semitrailer Sold

When a qualifying trailer/semitrailer is sold, the owner must surrender the license plates and receipt for cancellation. The trailer/semitrailer is then unregistered.

The buyer must purchase 12 months of registration through a county tax assessor-collectors office when applying for title (if required).

If the trailer/semitrailer is sold to another qualifying religious organization, the purchasing organization must reapply for exempt registration.

Exempt license plates cannot be transferred to a new owner.

21.5 Personalized Dealer License Plates

Dealers may apply for personalized dealer plates through their county tax assessor-collectors office.

Verify that the dealer’s general distinguishing number (GDN) is current prior to initial application or renewal of a Dealer Personalized license plate.

The MVD Dealer List is posted on the TxDMV website and in RTS under the HELP menu. The list contains the names of all currently licensed dealers in Texas.

For more dealer information, contact the Motor Vehicle Division at (512) 465-3000 or (888) 368-4689.

Registration Codes and Classes

001	5-YR RENTAL TRAILER
002	5-YR TOKEN TRAILER
003	GOLF CART
004	ANTIQUE MOTORCYCLE
005	ANTIQUE
006	APPORTIONED
007	ATV
008	CITY BUS-LESS/EQL. 6000
009	CMOH
010	COMBINATION
011	DISASTER RELIEF
012	DRIVER EDUCATION
013	DISABLED VETERAN
014	FERTILIZER
015	FARM TRK-LESS/EQL 1 TON
016	FARM TRAILER
019	MACHINERY
020	MOPED
021	MOTOR BUS
022	MOTORCYCLE
023	OIL WELL PERMIT
024	PARADE
025	PASSENGER-LESS/EQL 6000
026	PASSENGER-MORE THAN 6000
027	POW
028	PRIVATE BUS-LESS/EQL6000
029	PEARL HARBOR SURVIVOR
030	PURPLE HEART
031	SOIL CONSERVATION TRUCK
032	SOIL CONSERVATION TRL
033	TOKEN TRAILER
034	TRACTOR
035	TRUCK-LESS/EQL. 1 TON
036	TRUCK-MORE THAN 1 TON
037	TRAILER
038	TRAVEL TRAILER
039	EXEMPT-NOT FOR TITLE ONLY
040	CITY BUS-MORE THAN 6000
041	PRIVATE BUS-MORETHAN6000
042	LOG LOADER
043	FARM TRK-MORE THAN 1TON
044	FORESTRY
045	LEGION OF VALOR
046	TOW TRK-LESS/EQL. 1 TON
047	TOW TRK-MORE THAN 1 TON
048	OFCL PASS LESS/EQL 6000
049	OFCL TRUCK-LESS/EQL 1 TON
050	OFCL PASS-MORE THAN 6000
051	Z-5 YR APPORTIONED TRLR
052	ARMED RSRV-PASS LE 6000
053	ARMED RSRV-PASS GT 6000
054	ARMED RSRV-TRK LE 1 TON
055	HON CONSUL-PASS LE 6000
056	HON CONSUL-PASS GT 6000
057	HON CONSUL-TRK LE 1 TON
058	TX GUARD-PASS LE 6000
059	TX GUARD-PASS GT 6000
060	TX GUARD-TRUCK LE 1 TON
061	COTTON TRK GT 1 TON
062	FARM TRK TRACTOR > 1TON
064	ANNUAL PERMIT TRUCK
065	FOREIGN ORGANIZATION
066	5-YR HVY RENTAL TRAILER
067	OFCL MOTORCYCLE
068	PEARL HARBOR SURVIVOR MC
069	DISABLED VETERAN MC
070	SEAS AG TRK <= 1 TON
071	SEAS AG TRK > 1 TON
072	SEAS AG FARM TRK <= 1 TON
073	SEAS AG FARM TRK > 1 TON
074	SEAS AG FRM TRK TRAC >1TON
075	SEAS AG COTTON TRK > 1TON
076	SEAS AG COMBINATION
077	DISASTER RELIEF TRL
079	PER DEALER
080	PER DEALER MOTORCYCLE
081	EXEMPT MOPED
082	PURPLE HEART MC
083	CMOH MC
084	LEGION OF VALOR MC
085	FLYING CROSS MEDAL RECPNT
086	FLY CRS MEDAL RECPNT MC
087	SILVER STAR MEDAL
088	SILVER STAR MEDAL MC
089	LEGION OF MERIT
090	LEGION OF MERIT MC
091	ANNUAL PERMIT TRAILER
092	ROV
099	TITLE ONLY (NO REGIS)
100	FLEET CITY BUS - L/E 6000
101	FLEET CITY BUS > 6000
102	FLEET COMBINATION
103	FLEET MOPED
104	FLEET MOTOR BUS
105	FLEET MOTORCYCLE
106	FLEET PASSENGER-L/E 6000
107	FLEET PASSENGER > 6000
108	FLEET PRIVATE BUS-L/E6000
109	FLEET PRIVATE BUS > 6000
110	FLEET TRUCK - L/E 1 TON
111	FLEET TRUCK > 1 TON
112	FLEET FORESTRY
113	TOKEN TRAILER FLT
114	DISTING SERVICE MEDAL
115	DISTING SERVICE MEDAL MC
116	BRONZE STAR MEDAL
117	BRONZE STAR MEDAL MC
118	FLEET TOKEN TRLR
119	FLEET TRAILER
138	ANTIQUE TRAILER
139	OFCL TRUCK-MORETHAN 1 TON
140	AIR MEDAL
141	AIR MEDAL MC
142	DEFENSE SUPERIOR SERV MDL
143	DEFENSE SUPER SERV MDL MC
144	SURVIVING SPOUSE DV
145	SURVIVING SPOUSE DV MC

INDEX

SYMBOLS

1 - 2, 1 - 7, 10 - 15, 12 - 5, 13 - 4, 13 - 8, 14 - 19, 17 - 4

NUMERICS

144-Hour permits 16 - 1
Quick Reference 16 - 4
30-day permit 16 - 8
Be issued only to a passenger vehicle, a private bus, a trailer or semitrailer 16 - 6
72-Hour permits 16 - 1
Quick Reference 16 - 4

A

Accident
Fee Credit 1 - 11
Accounting
Additional fee amounts retained by a county 1 - 5
Allocation of fees 1 - 7
Check drawn against insufficient funds 1 - 8
Collection of fees 1 - 2
Compensation of assessor-collector 1 - 7
Deposit of registration fees 1 - 3
Disposition of fees 1 - 4
Distribution of fees between state and counties 1 - 6
Fees retained by county 1 - 6
Interest on fees 1 - 6
Interest-bearing account 1 - 5
Registration by mail 1 - 3
Active Duty Military Personnel 14 - 24
Additional Fee
Fee of $1 11 - 7
Additional Gross Weight Registration 15 - 5
Address Confidentiality Program
Validate participation in the program 14 - 6
Address of Owner
Construction company 14 - 9
Agricultural Temporary Permit 16 - 10
Air compressors 12 - 22
All-terrain vehicles 12 - 1
Annual Permits 2 - 25
Antique Vehicles 21 - 1
Application 21 - 3
Eligibility 21 - 2
Apprehended 12 - 17
Assigning Registration Periods 14 - 12
ATV
Off Highway Vehicle decals 12 - 3
Operation 12 - 2
Safety Certificate 12 - 3
Automation Fee 8 - 1
Auxiliary Axle Assemblies 2 - 19
Axle Assemblies 2 - 19

B

Bailing units 12 - 20
Blue Placards
Permanent Disabilities 3 - 7
Bribery of County Officer or Agent 13 - 9
Bus 2 - 14
City 9 - 3
Motor Bus 2 - 26
Private 9 - 3
Reconstructed 2 - 5
Transport Passengers 2 - 26

C

Cab and Chassis 2 - 6
Carrying Capacity
Reconstructed 2 - 5
Certificate of Title Act 14 - 5
Certified (formerly Volunteer) Fire Protection 20 - 5
Circus and Carnival vehicles 15 - 4
City Bus 9 - 3
Classic Motor Vehicles 21 - 6
Classification Change 2 - 15
Clearing Motor Vehicle Record 14 - 22
Collection of fees 1 - 2
Combination
Truck Temporary Permits 16 - 4
Combination License Plate
Issuing 2 - 18
not registered in combination 2 - 17
Trailer Jockey, or Yard Dog 2 - 25
Commercial Vehicle

Fees 2 - 1
Commercial vehicle
Buses reconstructed 2 - 5
Glider kits 2 - 6
House-moving dollies 2 - 19
Lower the registered gross weight 2 - 7
Motor bus 2 - 26
Optional classification 2 - 4
Permissible weight table 2 - 12
Road tractor 2 - 24
Size Limitation 2 - 14
Size limitations 2 - 14
Soil conservation equipment 2 - 22
Tow trucks 2 - 27
Towing devices 2 - 20
Trailer axle converters 2 - 19
Trailer Jockey, or yard dog 2 - 25
Truck or truck-tractor is reconstructed 2 - 6
Unconventional vehicle 2 - 5
Vehicles that are not registered in combination 2 - 17
Weight Limitations 2 - 9
Compensation of assessor-collector 1 - 7
Confidentiality Program 14 - 6
Construction Company Requirements 14 - 9
Conventional vehicle
water well driller 12 - 20
Conversions 2 - 4
Corporation Registration Requirements 14 - 9
Correction 2 - 7
Truck Bed is changed 2 - 7
Cotton Vehicles 7 - 16
Renewal 7 - 17
Replacement 7 - 17
Transfer 7 - 17
County Fee for Road and Bridge Fund 8 - 4
County of Residence 2 - 15
County/State Splits Table 1 - 15
Cranes 12 - 22

D

Dealer
Personalized License Plates 18 - 8
Sales 17 - 1
Dealers, Manufacturers and Converters Vehicle License Plates 21 - 12
Definitions
All-terrain vehicle 10 - 1
Board 10 - 1
Commercial fleet 10 - 1
Commercial motor vehicle 10 - 2
Defined in Statue 10 - 1
Department 10 - 2
Farm tractor 10 - 2
Farm trailer 10 - 2
Golf cart 10 - 3
Implements of husbandry 10 - 3
Light truck 10 - 3
Moped 10 - 3
Motor bus 10 - 3
Motor vehicle 10 - 3
Motorcycle 10 - 3
Municipal bus 10 - 3
Operate temporarily on the highways 10 - 3
Owner 10 - 3
Passenger car 10 - 4
Public highway 10 - 4
Public property 10 - 4
Recreational off-highway vehicle 10 - 4
Road tractor 10 - 4
Semitrailer 10 - 4
Trailer 10 - 5
Truck-tractor 10 - 5
Vehicle 10 - 5
Delinquent Fees 8 - 3
Delinquent Registration
Valid Reasons 13 - 2
Department
Deposit of registration fees 1 - 3
Deputies 10 - 15
Diesel
Motor Usage Additional Fee 8 - 1
Different Registration Classification 14 - 13
Disabled Persons
Applicant's Driver's License or Personal Identification Card Number 3 - 5
Definitions 3 - 1
Enforcement by Certain Appointed Persons 3 - 15
Issuance of Disabled Parking Placards to Certain Institutions 3 - 10
Issuance of Parking Placard; Expiration 3 - 6
Manufacture, Sale, Possession, or Use of Counterfeit Placard 3 - 17
Offenses Presumption 3 - 15
Parking Placard 3 - 4
Parking Placard Application 3 - 4, 3 - 8
Parking Privileges 3 - 12
Plates or Placards Required Information 3 - 8
Proof of Disability 3 - 9
Seizure and Revocation of Placard 3 - 17
Who can Sign Disability Statement 3 - 9
Disabled Veteran
Eligibility 19 - 7
License Plates 19 - 7
Organizations 19 - 7
Specialty License Plates 19 - 5
Disputed Classification of Vehicle 10 - 14
Distinguishing License Plate 12 - 18
DPPA
Additional Conditions 4 - 8
Authorization for Release of Personal Information, Form VTR-386 4 - 10
Correctional facility 4 - 3
Electronic access to texas motor vehicle records 4 - 13
Faxed requests for information 4 - 14
Fees 4 - 8
Guidelines for release of personal information 4 - 13
Motor Vehicle Records Disclosure Act 4 - 4

Penalty for False Representation 4 - 9
Permitted disclosures 4 - 6
Request for Texas Motor Vehicle Information, Form VTR-275 4 - 10
Requests from law enforcement agencies 4 - 15
Required Disclosure With Consent 4 - 6
Resale and Redisclosure of Personal Information 4 - 13
Resale or Redisclosure 4 - 9
Texas Motor Vehicle Records Disclosure Act 4 - 10
DPS Inspection Certificate 14 - 13
Drag Axles 2 - 19
Drilling machinery 12 - 21
Driver's Privacy Protection Act (DPPA) 4 - 10
Duplicate registration receipt 14 - 16

E

Electric Bicycles
Safety Legislation 12 - 11
Emergency Medical Services Personnel, Form VTR-312 20 - 1
Emissions
10% registration fee emissions surcharge 5 - 4
Current Emissions Counties Chart 5 - 5
Evidence of Vehicle Inspection 5 - 4
Failing Vehicles 5 - 2
Program does not apply 5 - 3
Texas Emissions Reduction Plan Surcharge 5 - 4, 5 - 5
Vehicles Subject to Program 5 - 2
Empty Weight
Commercial Vehicle 2 - 6
Pickup trucks with camper units 2 - 4
Evidence of Financial Responsibility 11 - 1
Example
Different Registration Classification 14 - 13
Exchange of Plates as a Result of a Classification Change 2 - 15
Registration Classifications 14 - 12
Registration Violations 13 - 2
Seasonal Agricultural County Procedure 7 - 3
Temporary Additional Weight Permit 7 - 10
Voluntary Additional Weight 2 - 14
Exchanging Seasonal Registration 7 - 3
Exempt License Plates 6 - 1
Abandoned/Seized Vehicles 6 - 9
Alias Law Enforcement Vehicles 6 - 11
Application 6 - 6
Civil Air Patrol 6 - 8
Commercial Transportation Company - School Bus 6 - 7
Driver Education 6 - 9
Emergency Medical Services 6 - 8
Fire Fighting Vehicles 6 - 7
Leased Vehicles 6 - 9
Machinery Type Vehicles 6 - 8
Marine Law Enforcement 6 - 7
Regular 6 - 10
Replacements 6 - 9
Standard 6 - 5
U.S. Government Vehicles 6 - 6
Weight 6 - 10
Expired License Plates 13 - 5

F

Falsification or Forgery 13 - 8
Farm Vehicles 7 - 1
Apprehensions 7 - 15
Certain farm vehicles and drilling and construction equipment 7 - 11
Excess Weight 7 - 8
Farm Trailer Replacements 7 - 15
Implement of husbandry 7 - 13
Implements of husbandry 7 - 12
Restricted in use 7 - 6
Temporary Additional Weight Permit Examples 7 - 10
Temporary Additional Weight Permits 7 - 9
Temporary Highway Usage 7 - 12
Trailers and Semitrailers 7 - 13
Truck Registration 7 - 7
Trucks and Truck-Tractor Registration 7 - 5
Farmers' Cooperatives 7 - 5
Farm-type tractors
Apprehended 2 - 24
License Plates 2 - 24
Fees
Allocation of fees 1 - 7
Automation 8 - 1
Child Safety 8 - 6
Collection 1 - 2
Compensation of assessor-collector 1 - 7
County Fee for Road and Bridge Fund 8 - 4
Delinquent 8 - 3
Disposition 1 - 4
Distribution 1 - 6
Distribution of fees between state and counties 1 - 6
Duplicate registration receipt 14 - 16
Interest-bearing account 1 - 5
Motor Bus 2 - 26
passenger car, municipal bus, private bus 9 - 1
Transportation Projects 8 - 7
Use of registration 1 - 6
Vehicles using diesel motor 8 - 1
Young Farmer Loan Guarantees 8 - 8
Fertilizer
Spreaders 7 - 8
Truck License Plates 7 - 8
fifth wheel 2 - 6
Fire Fighters 20 - 5
Foreign Commercial Vehicles
Annual Permits 2 - 25
Temporary Permits 16 - 1
Foreign Organization Vehicles, Form VTR-62-A 20 - 2, 20 - 9
Forestry Vehicles 12 - 13
Form

Application for Movement of Agriculture Products by a Nonresident, Form VTR-52-B 16 - 11
Former Military Vehicle
Eligibility 21 - 2
Former Military Vehicle Application 21 - 5
Former Military Vehicles 21 - 1
Forms
Affidavit for Regular License Plates Used on Exempt Vehicles, Form VTR-119 6 - 11
Affidavit for Regular License Plates, Used on Exempt Vehicles, Form VTR-119 6 - 10
Application for a Former Military License Plates, Form VTR-135-M, 21 - 5
Application for a Permit License Plate for Oil Well Unit/Mobile Crane on Form VTR-67 12 - 16
Application for a Specialty License Plate, Form VTR-999 18 - 2
Application for Antique License Plates, Form VTR-54 21 - 3
Application for Classic License Plates, Form VTR-850 21 - 7
Application for Cotton Vehicle License Plates, Form VTR-815 7 - 16
Application for Disabled Person Parking Placard and/or License Plate, Form VTR-214 20 - 5
Application for Disabled Veteran License Plates and Parking Placard, Form VTR-615 19 - 4
Application for Disaster Relief Vehicle, Form VTR-76 21 - 10
Application for Exempt Registration of a Fire Fighting Vehicle Owned Privately or by a Volunteer Fire Department, Form VTR-62-F 6 - 7
Application for Farm Trailer/Semitrailer, Farm Truck, or Farm Truck Tractor License Plates, Form VTR-52-A 7 - 14
Application for Farm Trailer/Semitrailer, Farm Truck, or Farm Truck tractor, Form VTR-52-A 7 - 6
Application for Fertilizer Truck License Plate, Form VTR-52-F 7 - 8
Application for Gold Star License Plates, Form VTR-423 20 - 7
Application for Honorary Consul License Plates, Form VTR-65 20 - 8
Application for Log Loader License Plate, Form VTR-209 12 - 12
Application for Movement of Agriculture Products by a Nonresident, Form VTR-52-B 16 - 10
Application for Persons with Disabilities Parking Placard and/or License Plate, Form VTR-214 3 - 8, 18 - 8
Application for Replacement License Plate(s), and/or Vehicle Registration Sticker, Form VTR-60 19 - 4
Application for Replacement License Plate(s), License Plate Registration Sticker(s), or Registration Sticker, Form VTR-60 7 - 17
Application for Seasonal Agricultural Registration, Form VTR-626 7 - 4
Application for Seasonal Permit License Plate, Form VTR-626 7 - 2
Application for Soil Conservation Registration, Form VTR-45 2 - 23
Application for Standard Exempt License Plates, Form VTR-62-A 6 - 6
Application for Texas Title, Form 130-U 10 - 10
Application for the Registration of Water Well Drilling or Construction Machinery, Form VTR-77 12 - 23
Application for Title Only, Form VTR-131 14 - 3
Auction Sales Receipt, Form VTR-71-1 6 - 9
Authorization for Release of Personal Information, Form VTR-386 4 - 10
County of Title Issuance, Form VTR-136 17 - 1
Exempt Vehicle Affidavit - Driver Education, Form VTR-62-E 6 - 9
Form VTR-31-RTS, Tax Collectors Receipt for Texas Title Application/Registration/Motor Vehicle Tax 18 - 8
General Information 10 - 11
Leased Vehicle Affidavit, Form VTR-62-L 6 - 9, 20 - 9
Power of Attorney or an Authorization for Release of Personal Information, Form VTR-386 4 - 13
Registration Fee Credit Voucher, Form VTR-50 1 - 11
Request for Texas Motor Vehicle Information, Form VTR-275 4 - 10
Safety Responsibility Affidavit, Form SR39, 13 - 10
Statement of Physical Inspection, Form VTR-270 13 - 6
Texas Motor Vehicle Transfer, Form VTR-346 17 - 8
The Public School Transportation Services Verification, Form VTR-62-BUS 6 - 7
Travel Trailer or Park Model Trailer Verification, Form VTR-141 9 - 6
Front End Loaders 12 - 22
Front-end loaders
Tractors 2 - 23
Funds Category Splits Table 1 - 15

G

Garage Wreckers 2 - 5
General Issue License Plates 9 - 1
Municipal and Private Buses 9 - 3
General Penalty 13 - 1
Glider kits 2 - 6
Gold Star 20 - 2
Gold Star, Form VTR-338 20 - 7
Gross Vehicle Weight Rating 2 - 8
(GVWR) 2 - 8
Manufacturer's Certificate of Origin (MCO) 2 - 8
Gross Weight
Determining 2 - 2
Determining Combined 2 - 17
Maximum 12 - 17
Oversize or Overweight Vehicles 12 - 16
Registration 2 - 16

H

Highways Separating Real Property 10 - 11
Honorary Consul 20 - 2

Honorary Consuls, Form VTR-65 20 - 8
Hot Check 1 - 9
Check drawn against insufficient funds 1 - 8
Dealer 1 - 10
House-moving dollies 2 - 19

I

Identification Fee 8 - 2
Implements of Husbandry 7 - 12
Improperly Registered Vehicles 13 - 1
Initial Registration 14 - 8
Inquiries 4 - 1
Insufficient funds 1 - 8
Insurance
Alternative 11 - 5
Evidence of financial responsibility for others 11 - 5
Evidence that does not fulfill requirements 11 - 5
Exemption 11 - 7
Financial Responsibility Verification Program 11 - 7
Initial registration 14 - 8
Initial Registration or Transfer Requirements 11 - 4
Liability insurance requirements 11 - 5
Minimum coverage amounts 11 - 4
No Fault 11 - 5
No fault 11 - 5
Other liability insurance 11 - 5
Requirement of financial responsibility 11 - 3
Requirements 11 - 5

L

Lease of additional computer equipment 10 - 15
Leased Vehicles 14 - 3
Legal right of possession 14 - 2
Length Exceptions 15 - 6
License Fee Credits 1 - 11
License Plates
Annual License Plate Classifications with December 31 14 - 12
Multi-year License Plate Classification with March 31 14 - 11
Multi-year License Plate Classifications with June 30 14 - 12
Log Loader
Plate Applications 12 - 12
Plate Refunds 12 - 12
Plate Renewals 12 - 12

M

Machinery
Issuing License Plates 12 - 23
License Plate 12 - 23
pump pulling and pump setting units
trainees 12 - 20
tow or transport property or persons 12 - 21
Unconventional Vehicle 2 - 5
Manufactured Housing 15 - 1
Manufacturer's Certificate 2 - 6
Weight 2 - 6
Members of American Legion 20 - 2, 20 - 7
Military Extraordinary Service
SLP Initial Application 19 - 5
Military Service
Registration Requirement 14 - 23
Military Service Plates 19 - 5
Military Specialty License Plates 19 - 1
Application Procedures 19 - 1
Fees 19 - 1
Renewals 19 - 4
Replacement 19 - 4
Surviving Spouse 19 - 4
Title Requirements 19 - 3
Transfers 19 - 4
Mobility Fee 8 - 7
Moped 9 - 10
Motor Bus
Carrying Capacity 2 - 26
Fees 2 - 26
Transport Passengers 2 - 26
Motor cranes 12 - 22
Motor graders 12 - 22
Motor Homes
Width limitation on certain recreational vehicles 15 - 7
Motor Vehicle Records Disclosure Act 4 - 4
Definitions 4 - 4
Motorcycle
Insurance 11 - 5
Multiyear Registration 14 - 11

N

Needs Plate Replacement 14 - 17
Neighborhood Electric Vehicles 12 - 4
No Fault Insurance 11 - 5
Non repairable Vehicles 14 - 3
Nonprofit Disaster Relief Organizations, Form VTR-76 21 - 9
Notice of Sale or Transfer 17 - 1

O

Occupational License Plates 20 - 5
Offense 2 - 25
Offenses and Penalties
Bribery of county officer or agent 13 - 9
Falsification or forgery 13 - 8

General penalty 13 - 1
Operation of vehicle under improper registration 13 - 1
Operation of vehicle with expired license plate (Five Working Days Grace) 13 - 5
Operation of vehicle without license plate or registration insignia 13 - 3
Suspension of driver's license and vehicle registration or privilege 13 - 9
Violation by county assessor-collector; penalty 13 - 9
Wrong, fictitious, or unclean license plate 13 - 7
Off-Highway Vehicle Decal 12 - 3
Official and Judges
Eligible Persons 20 - 4
Leaving Office 20 - 5
Plates are Not Transferable 20 - 4
Oil Well Servicing and Drilling Machinery 12 - 15
One Trip Permit
$5 for a One-Trip Permit 16 - 6
One trip permit 16 - 6
Valid for one trip between the points of origin and destination 16 - 6
Operation of Vehicle
With Expired License Plate (Five Working Days Grace) 13 - 5
Without License Plate or Registration Insignia 13 - 3
Optional classification 2 - 4
Optional County Fees 8 - 4
For Transportation 8 - 7
Setting by County 8 - 4
Organizational License Plates 20 - 7
Out Of State Registered Vehicles 14 - 7
Out-of-State
Texas Safety Inspection 16 - 3
Oversize
permits 15 - 1
Oversize or Overweight Vehicles 12 - 16
Owner
Definitions 14 - 2
Leased Vehicles 14 - 3
Legal Right of Possession 14 - 2

P

Panel
Commercial 2 - 4
Parking Placards
Application 3 - 4
Overview 3 - 7
Parking Privileges 3 - 12
Persons with Disabilities 3 - 12
Partnership Requirements 14 - 9
Passenger License Plates
Changes in Vehicle Weight 9 - 2
Eligible Vehicles 9 - 2
Peace Officer 20 - 5
Peace Officers Wounded or Killed in Line of Duty, Form VTR-406 20 - 1
Permanent Disability 3 - 7
Permissible weight table 2 - 12
Permit License Plates 12 - 15
Oversize or overweight Vehicles 12 - 16
Permit Plate 12 - 16
Personal Information Release Guidelines 4 - 13
Personal Motor Vehicle Records Information 4 - 5
Personalized License Plates 18 - 5
Dealer 18 - 8
Penalties 18 - 7
Registration Period 18 - 5
Renewal 18 - 6
Transfer 18 - 6
Placard
Application 3 - 4, 3 - 8
Counterfeit 3 - 17
Database 3 - 11
Expiration 3 - 6
Fee 3 - 8
Limitations 3 - 8
Time Valid 3 - 8
Plate Replacements 14 - 17
PLP
Dealer Personalized License Plates 18 - 8
manufactured with the universal symbol of access (wheelchair emblem) 18 - 8
Renewals 18 - 6
Political Subdivision 6 - 6
Registration Prohibited 10 - 11
Powers and Duties of Department on Transfer of Used Vehicle 17 - 6
Private Buses 9 - 3
Professional 20 - 5
Proof of Disability 3 - 9

Q

Quick Reference
Restricted Plates 20 - 1
Truck Combination Temporary Permits 16 - 4

R

Radio Operator 20 - 5
Rebuilt Salvage 14 - 3
Reciprocal agreements 10 - 14
Red Placards
Temporary Disabilities 3 - 7
Refunds 1 - 13
Full Refunds 1 - 13
Other Refund Changes 1 - 14
Partial Refunds 1 - 14
Registration
Acquired outside the purchasers county of residence 14 - 9
Active Duty Personnel 14 - 24

Application 14 - 4
by Gross Weight 2 - 16
By Mail 14 - 7
By mail 1 - 3
Carried on the vehicle 15 - 3
Certificate of title required for registration 14 - 8
Change the vehicles current registration expiration month 14 - 14
Construction company 14 - 9
Corporations 14 - 9
County of residence of either of the partners 14 - 9
County of the corporations principle place of business 14 - 9
County where the lienholder is located 14 - 10
County where the vehicle was purchased 14 - 10
Designation of registration period by owner 14 - 13
Electronic Means 1 - 3
Information Release 4 - 1
Initial registration 14 - 8
Issuance of license plate or registration insignia 14 - 14
June 30 Expiration Date 14 - 12
March 31 Expiration Date 14 - 11
May obtain a negotiable certificate of title without obtaining Texas registration 14 - 3
Military Service 14 - 23
Motor vehicle is unsafe 14 - 18
Out of State Registered Vehicles 14 - 7
Purchaser's home county 14 - 10
Purposes Only 14 - 7
Refusal to register unsafe vehicle 14 - 18
Refusal to register vehicle in certain counties (Scoff Law) 14 - 18
Registration receipt 14 - 15
Registration Year 14 - 10
Renewal period 14 - 5
Replacement of lost, stolen, or mutilated 14 - 16
Request to Issue a Negotiable Certificate of Title Without Registration, Form VTR-131 14 - 3
Required
General Rule 14 - 1
Reregistration Under Different Registration Classification 14 - 13
Residency requirements 14 - 8
Revoke a registration 14 - 18
Staggered 14 - 11
Sticker is lost in the mail 14 - 7, 14 - 18
Without Renewal Notice 14 - 7
Registration Purposes Only (RPO) 14 - 7
Registration receipt 15 - 3
Regular Exempt License Plates 6 - 10
Release of Vehicle Registration Information 4 - 1
Religious Organizations, Form VTR-620 21 - 11
Renewal Period 14 - 5
Replacement License Plate 2 - 18
Combination License Plates 2 - 18
Request for Vehicle Information
Exceptions 4 - 3
from Incarcerated Individuals 4 - 3
Residency Requirements 14 - 8
Residential Retirement Communities 3 - 9
Restricted Plates Quick Reference 20 - 1
Road tractor 2 - 24
Rules
General Information 10 - 11
Rules and Forms 10 - 11

S

Safety Certificate 12 - 3
Sale of Vehicle 17 - 7
Salvage or Non repairable Vehicles 14 - 3
Scoff Law 14 - 18
Clearing Motor Vehicle Record 14 - 22
Flagging Motor Vehicle Record 14 - 22
Transfer by Licensed Motor Vehicle Dealers 14 - 22
Scrapers 12 - 22
Seasonal Agricultural
Example County Procedure 7 - 3
Exchanging Seasonal Registration 7 - 3
Expiration 7 - 3
Registration 7 - 2
Registration Requirements 7 - 4
Replacements 7 - 3
Vehicle Plate Fees 7 - 2
Vehicle Plate Requirements 7 - 2
Shipping Weight
Truck 2 - 7
Show or rodeo 7 - 6
Size and Weight
Additional Gross Weight Registration 15 - 5
Definitions 15 - 2
Determination of weight 15 - 1
Length exceptions 15 - 6
Manufactured housing 15 - 1
Maximum width 15 - 4
Vehicle registration receipt for certain heavy vehicles 15 - 3
Weight, net weight, or gross weight 15 - 1
Width exceptions 15 - 5
Width limitation on certain recreational vehicles 15 - 7
Size limitations 2 - 14
Slide-in camper unit 2 - 4
Soil Conservation
Form VTR-45 2 - 23
Souvenir License Plates 18 - 8
Specialty License Plates
Application and Fees 18 - 2
Authorized After January 1, 1999 18 - 4
Creation 18 - 3
Eligible Vehicles 18 - 2
Mailing of Specialty License Plates 18 - 2
Military 19 - 1
Personalized Specialty Plates 18 - 2
Professional Fire Fighter License Plates 20 - 1
Refunds 18 - 2
Synchronizing 18 - 2
Staggered Registration 14 - 11

State Judges 20 - 2
State Officials 20 - 1, 20 - 2
Statutory Size and Weight Limitations 2 - 9
Weight Limitations 2 - 9
Synchronizing Specialty License Plates and Registration 18 - 2

T

Tax Assessor-collector
Operations 10 - 15
Temporary Disability 3 - 7
Temporary Permits
30-day trip 16 - 6
One Trip 16 - 6
Products produced in Texas 16 - 10
Vehicles Used to Transport Farm Products 16 - 9
Temporary Registration Permits
$25 for a 72-Hour 16 - 2
$50 for a 144-Hour 16 - 2
144-Hour permits 16 - 1
72-Hour permits 16 - 1
Applicant must present evidence of financial responsibility 16 - 3
Evidence of financial responsibility 16 - 2
For a commercial motor vehicle, trailer, semitrailer, or motor bus 16 - 1
Foreign commercial vehicles 16 - 1
Issued by 16 - 3
Nonresidents of Texas may 16 - 3
Reciprocal agreement with another state for issuance of permits 15 - 3
Texas resident may 16 - 3
Texas Agricultural and Timber Exemption Registration Number 7 - 6, 7 - 10, 7 - 14, 12 - 20
Texas Association of Realtors 20 - 10
Texas Constable 20 - 6
Texas Constables, Form VTR-426 20 - 2
Texas Motor Vehicle Records Disclosure Act 4 - 10
Title Only 14 - 3
Token Trailer License Plates 2 - 18
Axle Assembly 2 - 19
House-moving dollies 2 - 19
Tool houses 12 - 21
Tow Trucks
Exemptions 2 - 28
Tow trucks
Motor Carrier Certificate of Registration 2 - 27
Towing devices 2 - 20
Tractor 2 - 24
Trailer Jockey 2 - 25
License Plates 2 - 25
Trailer or Semitrailer
general issue license plates 9 - 3
Owned by a Religious Organization 21 - 11
Permissible weight table 2 - 12
Transfer of Registration/Title
Delivery of Receipt and Title to Transferee 17 - 3
Notice of Sale or Transfer 17 - 1
Powers and Duties of Department on Transfer of Used Vehicle 17 - 6
Transfer Fee 1 - 3
Transfer of Registration 1 - 3
Transportation Code
Trans Code Sec. 501.002 10 - 6, 10 - 9
Trans Code Sec. 501.0721 17 - 3
Trans Code Sec. 501.147 17 - 6
Trans Code Sec. 501.148 1 - 7
Trans Code Sec. 502.001 10 - 1, 12 - 1, 12 - 3, 12 - 8, 12 - 13, 12 - 21
Trans Code Sec. 502.002 10 - 11
Trans Code Sec. 502.0021 10 - 11
Trans Code Sec. 502.00211 10 - 12
Trans Code Sec. 502.003 10 - 11
Trans Code Sec. 502.010 14 - 18
Trans Code Sec. 502.040 14 - 1
Trans Code Sec. 502.041 14 - 8
Trans Code Sec. 502.042 14 - 8
Trans Code Sec. 502.043 14 - 4
Trans Code Sec. 502.044 14 - 10
Trans Code Sec. 502.044. 1 - 1
Trans Code Sec. 502.045 8 - 3
Trans Code Sec. 502.046 11 - 1
Trans Code Sec. 502.047 5 - 1
Trans Code Sec. 502.048 12 - 11, 14 - 18
Trans Code Sec. 502.055 15 - 1
Trans Code Sec. 502.056 10 - 14
Trans Code Sec. 502.057 14 - 15
Trans Code Sec. 502.058 14 - 16
Trans Code Sec. 502.060 14 - 16
Trans Code Sec. 502.090 14 - 23
Trans Code Sec. 502.091 10 - 13
Trans Code Sec. 502.092 16 - 9
Trans Code Sec. 502.093 2 - 25
Trans Code Sec. 502.094 16 - 1
Trans Code Sec. 502.095 16 - 6
Trans Code Sec. 502.096 1 - 3
Trans Code Sec. 502.140 12 - 1
Trans Code Sec. 502.142 15 - 1
Trans Code Sec. 502.143 12 - 15
Trans Code Sec. 502.144 10 - 11
Trans Code Sec. 502.145 10 - 12
Trans Code Sec. 502.146 7 - 11, 12 - 18
Trans Code Sec. 502.1585 14 - 13
Trans Code Sec. 502.1746 8 - 10
Trans Code Sec. 502.1747 8 - 11
Trans Code Sec. 502.1748 8 - 11
Trans Code Sec. 502.191 1 - 2
Trans Code Sec. 502.192 1 - 3
Trans Code Sec. 502.193 1 - 8
Trans Code Sec. 502.194 1 - 10
Trans Code Sec. 502.195. 1 - 13
Trans Code Sec. 502.197 1 - 3
Trans Code Sec. 502.198 1 - 4
Trans Code Sec. 502.1981 1 - 5
Trans Code Sec. 502.1983 1 - 5
Trans Code Sec. 502.1984 1 - 6
Trans Code Sec. 502.1985 1 - 6
Trans Code Sec. 502.1986 1 - 6

Trans Code Sec. 502.204 6 - 3
Trans Code Sec. 502.252 9 - 1
Trans Code Sec. 502.253 2 - 1
Trans Code Sec. 502.254 9 - 3
Trans Code Sec. 502.255 2 - 15
Trans Code Sec. 502.255. 2 - 1
Trans Code Sec. 502.256 2 - 24
Trans Code Sec. 502.356 8 - 1
Trans Code Sec. 502.357 8 - 2, 11 - 7
Trans Code Sec. 502.358 5 - 4
Trans Code Sec. 502.359 8 - 1
Trans Code Sec. 502.401 8 - 4
Trans Code Sec. 502.402 8 - 7
Trans Code Sec. 502.403 8 - 6
Trans Code Sec. 502.404 8 - 8
Trans Code Sec. 502.405 8 - 9
Trans Code Sec. 502.407 13 - 5
Trans Code Sec. 502.410 13 - 8
Trans Code Sec. 502.411 13 - 9
Trans Code Sec. 502.431 7 - 8
Trans Code Sec. 502.432 7 - 1
Trans Code Sec. 502.433 7 - 4
Trans Code Sec. 502.434 7 - 8
Trans Code Sec. 502.435 2 - 22
Trans Code Sec. 502.451 6 - 1
Trans Code Sec. 502.452 6 - 2
Trans Code Sec. 502.453 6 - 3
Trans Code Sec. 502.454 21 - 9
Trans Code Sec. 502.455 21 - 11
Trans Code Sec. 502.456 6 - 3
Trans Code Sec. 502.457 14 - 24
Trans Code Sec. 502.471 13 - 1
Trans Code Sec. 502.472 13 - 1
Trans Code Sec. 502.473 13 - 3
Trans Code Sec. 502.474 16 - 7
Trans Code Sec. 502.475 13 - 3
Trans Code Sec. 502.477 16 - 10
Trans Code Sec. 502.478 7 - 5
Trans Code Sec. 502.479 7 - 1
Trans Code Sec. 502.480 13 - 9
Trans Code Sec. 502.491 14 - 10, 17 - 4
Trans Code Sec. 502.508 2 - 27
Trans Code Sec. 503.005 17 - 1
Trans Code Sec. 504.006 10 - 12
Trans Code Sec. 504.010 14 - 14
Trans Code Sec. 504.101 18 - 5
Trans Code Sec. 504.102 18 - 5
Trans Code Sec. 504.201 3 - 2
Trans Code Sec. 504.202 19 - 5
Trans Code Sec. 504.203 3 - 9
Trans Code Sec. 504.301 19 - 1
Trans Code Sec. 504.400 20 - 2
Trans Code Sec. 504.401 20 - 2
Trans Code Sec. 504.402 20 - 3
Trans Code Sec. 504.403 20 - 3
Trans Code Sec. 504.404 20 - 4
Trans Code Sec. 504.405 20 - 4
Trans Code Sec. 504.406 20 - 2, 20 - 5
Trans Code Sec. 504.4061 20 - 9
Trans Code Sec. 504.415 20 - 5
Trans Code Sec. 504.501 21 - 6
Trans Code Sec. 504.502 21 - 1
Trans Code Sec. 504.503 9 - 3
Trans Code Sec. 504.505 7 - 16
Trans Code Sec. 504.506 12 - 11
Trans Code Sec. 504.507 12 - 13
Trans Code Sec. 504.511 20 - 6
Trans Code Sec. 504.512 20 - 7
Trans Code Sec. 504.513 20 - 1, 20 - 6
Trans Code Sec. 504.514 20 - 1, 20 - 6
Trans Code Sec. 504.515 20 - 8
Trans Code Sec. 504.659 20 - 2, 20 - 7
Trans Code Sec. 504.941 21 - 2
Trans Code Sec. 504.942 12 - 12
Trans Code Sec. 504.943 13 - 4
Trans Code Sec. 504.944 13 - 6
Trans Code Sec. 504.945 13 - 7
Trans Code Sec. 520.004 10 - 14
Trans Code Sec. 520.006 1 - 7
Trans Code Sec. 520.007 10 - 15
Trans Code Sec. 520.0093 10 - 15
Trans Code Sec. 520.016 13 - 1
Trans Code Sec. 521.001 10 - 8
Trans Code Sec. 541.201 10 - 6, 10 - 7, 10 - 8, 10 - 9
Trans Code Sec. 541.401 10 - 7
Trans Code Sec. 542.009 10 - 8
Trans Code Sec. 548.001 10 - 5
Trans Code Sec. 551.201 10 - 6
Trans Code Sec. 551.301 12 - 4
Trans Code Sec. 551.303 12 - 4
Trans Code Sec. 551.351 12 - 10
Trans Code Sec. 551.352 12 - 11
Trans Code Sec. 551.353 12 - 10
Trans Code Sec. 551.401 12 - 7
Trans Code Sec. 551.402 12 - 8
Trans Code Sec. 551.403 12 - 8
Trans Code Sec. 551.404 12 - 9
Trans Code Sec. 551.405 12 - 9
Trans Code Sec. 601.051 11 - 3
Trans Code Sec. 601.052 11 - 6
Trans Code Sec. 601.054 11 - 5
Trans Code Sec. 601.057 11 - 5
Trans Code Sec. 601.071 11 - 5
Trans Code Sec. 601.072 11 - 4
Trans Code Sec. 601.152 13 - 9
Trans Code Sec. 621.002 15 - 3
Trans Code Sec. 621.003 15 - 3
Trans Code Sec. 621.201 15 - 4
Trans Code Sec. 621.406 15 - 5
Trans Code Sec. 622.901 15 - 5
Trans Code Sec. 622.902 15 - 6
Trans Code Sec. 622.903 15 - 7
Trans Code Sec. 623.141 12 - 15
Trans Code Sec. 623.144 12 - 17
Trans Code Sec. 623.149 10 - 9, 12 - 15, 12 - 18
Trans Code Sec. 644.001 10 - 5
Trans Code Sec. 681.001 3 - 1
Trans Code Sec. 681.002 3 - 4
Trans Code Sec. 681.003 3 - 4
Trans Code Sec. 681.0031 3 - 5
Trans Code Sec. 681.0032 3 - 10
Trans Code Sec. 681.004 3 - 6
Trans Code Sec. 681.005 3 - 6
Trans Code Sec. 681.006 3 - 12

Trans Code Sec. 681.007 3 - 13
Trans Code Sec. 681.008 19 - 8
Trans Code Sec. 681.010 3 - 14
Trans Code Sec. 681.0101 3 - 15
Trans Code Sec. 681.011 3 - 15
Trans Code Sec. 681.0111 3 - 17
Trans Code Sec. 681.012 3 - 17
Trans Code Sec. 702.003 14 - 21
Trans Code Sec. 707.017 14 - 23
Trans Code Sec. 730.001 4 - 4
Trans Code Sec. 730.002 4 - 4
Trans Code Sec. 730.003 4 - 4
Trans Code Sec. 730.004 4 - 5
Trans Code Sec. 730.005 4 - 5
Trans Code Sec. 730.006 4 - 6
Trans Code Sec. 730.007 4 - 6
Trans Code Sec. 730.010 4 - 8
Trans Code Sec. 730.011 4 - 8
Trans Code Sec. 730.012 4 - 8
Trans Code Sec. 730.013 4 - 9
Trans Code Sec. 730.014 4 - 9
Trans Code Sec. 730.015 4 - 9
Trans Code Sec. 730.016 4 - 10
Trans Code, Sect. 502.055 15 - 1
Trans Code, Sect. 621.001 15 - 2
Trans Code, Sect. 621.002 15 - 3
Trans Code, Sect. 621.003 15 - 3
Trans Code, Section 504.002 18 - 1
Trans Code, Section 504.003 18 - 8
Trans Code, Section 504.601 18 - 1
Trans Code, Section 504.702 18 - 4
Trans Code, Section 504.801 18 - 3
Travel Trailer
Width limitation 15 - 7
Truck
Bed 2 - 7
License Plates 2 - 3
Tonnage 2 - 4
Tractor 2 - 6
Types 2 - 3

U

Unconventional Vehicles 2 - 5
Unsafe Vehicle 14 - 18
Used Vehicle
Sale 17 - 7
Used Vehicle Transfers 17 - 6

V

Vehicle Classifications 14 - 11
Veterans with Disabilities
International Symbol of Access (ISA) 19 - 3
Parking privileges
certain veterans 19 - 8
Statue 19 - 5
Voluntary Additional Weight 2 - 15

W

Weight Determination 15 - 1
Weight Limitations
Commercial Vehicles 2 - 9
Weight Table
Permissible 2 - 12
Welding machines 12 - 22
Width
Exceptions 15 - 5
Maximum 15 - 4
Wrecker 2 - 5
Wrong, Fictitious, or Unclean License Plate 13 - 7

Y

Yard Dog 2 - 25
License Plates 2 - 25
Young Farmer Loan Guarantees 8 - 8