

## **BILL ANALYSIS**

C.S.H.B. 1793  
By: Pickett  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are concerns that many Texas trucks and trailers registered as commercial motor vehicles are not domiciled in Texas, which forces those vehicles to travel long distances to obtain the required valid annual inspection. Reports indicate that the expense of this obligation, especially considering driver wages and per diems, fuel, and the necessary downtime for the trucks and trailers, may be forcing some in the industry to register their fleets in states that have less burdensome registration and inspection requirements, resulting in a loss of revenue to the state. C.S.H.B. 1793 seeks to address these concerns by exempting certain vehicles registered under the International Registration Plan registered in Texas but domiciled outside Texas from the state's compulsory annual inspection under certain conditions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1793 amends the Transportation Code to exempt from compulsory vehicle inspection requirements a commercial motor vehicle that is not domiciled in Texas, is registered in Texas or under the International Registration Plan, and has been issued a certificate of inspection in compliance with federal motor carrier safety regulations. The bill subjects such a commercial motor vehicle to any fees established by the Transportation Code that would apply to the vehicle if the vehicle were subject to those inspection requirements.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1793 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 548.052, Transportation Code, is amended to read as follows:

Sec. 548.052. VEHICLES NOT SUBJECT TO INSPECTION. This chapter does not apply to:

- (1) a trailer, semitrailer, pole trailer, or mobile home moving under or bearing a current factory-delivery license plate or current in-transit license plate;
- (2) a vehicle moving under or bearing a paper dealer in-transit tag, machinery license, disaster license, parade license, prorated tag, one-trip permit, vehicle temporary transit permit, antique license, custom vehicle license, street rod license, temporary 24-hour permit, or permit license;
- (3) a trailer, semitrailer, pole trailer, or mobile home having an actual gross weight or registered gross weight of 4,500 pounds or less;
- (4) farm machinery, road-building equipment, a farm trailer, or a vehicle required to display a slow-moving-vehicle emblem under Section 547.703;
- (5) a former military vehicle, as defined by Section 504.502;
- (6) a vehicle qualified for a tax exemption under Section 152.092, Tax Code; [ø]
- (7) a vehicle for which a certificate of title has been issued but that is not required to be registered; or

(8) a vehicle that:

- (A) is not domiciled in this state;
- (B) is registered in this state or under the International Registration Plan as authorized by Section 502.091; and
- (C) has been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

SECTION 2. This Act takes effect

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 548.203, Transportation Code, is amended to read as follows:

Sec. 548.203. EXEMPTIONS. (a) The commission by rule may exempt a type of commercial motor vehicle from the application of this subchapter if the vehicle:

- (1) was manufactured before September 1, 1995;
- (2) is operated only temporarily on a highway of this state and at a speed of less than 30 miles per hour; and
- (3) complies with Section 548.051 and each applicable provision in Title 49, Code of Federal Regulations.

(b) Notwithstanding Subchapter B, a commercial motor vehicle is not subject to the inspection requirements of this chapter if the vehicle:

- (1) is not domiciled in this state;
- (2) is registered in this state or under the International Registration Plan as authorized by Section 502.091; and
- (3) has been issued a certificate of inspection in compliance with federal motor carrier safety regulations.

(c) A commercial motor vehicle described by Subsection (b) is subject to any fees established by this code that would apply to the vehicle if the vehicle were subject to the inspection requirements of this chapter, including a fee under Section 548.504 or 548.5055.

SECTION 2. Same as introduced version.

immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.