

BILL ANALYSIS

Senate Research Center
78R5920 DWS-D

H.B. 1422
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Infrastructure Development and Security
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Engrossed

DIGEST AND PURPOSE

Vehicles in counties located in non-attainment areas are required to pass an emissions inspection as part of regular vehicle inspection. If the motor vehicle inspection certificate is stolen, lost or destroyed, the motorist is required to have both the vehicle and emissions inspections repeated in order to replace the certificate. The second emissions inspection can place a costly burden on the motorist. H.B. 1422 exempts the vehicle from the emissions inspection if the motorist is replacing a certificate which the Department of Public Safety has established has been stolen, lost or destroyed.

RULEMAKING AUTHORITY

Rulemaking authority is specifically granted to the Department of Public Safety in SECTION 1 (Section 548.257, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 548, Transportation Code, by adding Section 548.257, as follows:

Sec. 548.257. LOST, STOLEN, OR DESTROYED CERTIFICATE. (a) Requires the vehicle, if an inspection certificate is lost, stolen, or destroyed during the period during which the certificate is valid, to be reinspected and any applicable fee paid before a new certificate is issued, except that the vehicle is not subject to any emissions inspection. Provides that the replacement certificate is valid for the remaining period of validity of the original certificate.

(b) Requires the Department of Public Safety (DPS), by rule, to specify the method for establishing that the certificate has been lost, stolen, or destroyed, and that the reinspection is within the period of validity of the lost, stolen, or destroyed certificate.

(c) Requires DPS, as part of its rules under Subsection (b), to adopt measures to ensure that the reinspection procedure provided by this section is not used fraudulently to avoid any required inspection.

SECTION 2. Effective date: September 1, 2003.