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Vehicle Inspection Repeal Act

HB 30

Bill Text

A BILL TO BE ENTITLED
AN ACT

relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

(a) Clean Air Act fees consist of:

(1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;

(2) each amount described by Sections 548.510(d)(3) and (e)(3) [~~$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Sections 548.501 and 548.503~~], Transportation Code; and

(3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION 2. Section 382.202, Health and Safety Code, is amended by amending Subsection (d) and adding Subsection (e-1) to read as follows:

(d) On adoption of a resolution by the commission and after proper notice, the Department of Public Safety of the State of Texas shall implement a system that requires, [~~as a condition of obtaining a passing~~

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~~vehicle inspection report issued under Subchapter C, Chapter 548, Transportation Code,~~] in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F, Chapter 548, Transportation Code [~~of that chapter~~], that a motor vehicle registered in this state [~~the vehicle~~], unless the vehicle is not covered by the system, be annually or biennially inspected under the vehicle emissions inspection and maintenance program as required by the state's air quality state implementation plan. The Department of Public Safety shall implement such a system when it is required by any provision of federal or state law, including any provision of the state's air quality state implementation plan.

(e-1) The portion of a fee imposed under Subsection (e) that is not authorized to be retained by an inspection station must be collected as provided by Section 548.509, Transportation Code.

SECTION 3. Section 382.203(c), Health and Safety Code, is amended to read as follows:

(c) The Department of Public Safety of the State of Texas by rule may waive program requirements, in accordance with standards adopted by the commission, for certain vehicles and vehicle owners, including:

(1) the registered owner of a vehicle who cannot afford to comply with the program, based on reasonable income standards;

(2) a vehicle that cannot be brought into compliance with emissions standards by performing repairs;

(3) a vehicle:

(A) on which at least $100 has been spent to bring the vehicle into compliance; and

(B) that the department[~~:~~

[~~(i)~~] can verify is driven an average of less

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than 5,000 miles each year [~~was driven fewer than 5,000 miles since the last safety inspection; and~~

[~~(ii) reasonably determines will be driven fewer than 5,000 miles during the period before the next safety inspection is required~~]; and

(4) a vehicle for which parts are not readily available.

SECTION 4. Sections 502.0025(d) and (e), Transportation Code, are amended to read as follows:

(d) A motor vehicle, semitrailer, or trailer registered under this section is subject to any applicable [~~the~~] inspection requirements of Chapter 548 as if the vehicle, semitrailer, or trailer were registered without an extended registration period.

(e) The department shall adopt rules to implement this section, including rules:

(1) regarding the suspension of an exempt county fleet's registration under this section if the owner of the exempt county fleet fails to comply with this section or rules adopted under this section; and

(2) establishing a method to enforce applicable [~~the~~] inspection requirements of Chapter 548 for motor vehicles, semitrailers, and trailers registered under this section.

SECTION 5. Section 502.047(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Chapter 548, 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

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enforcement system.

SECTION 6. Section 502.146(d), Transportation Code, is amended to read as follows:

(d) A vehicle described by Subsection (b) is exempt from the inspection requirements of Subchapter [~~Subchapters B and~~] F, Chapter 548.

SECTION 7. Section 547.601, Transportation Code, is amended to read as follows:

Sec. 547.601. SAFETY BELTS REQUIRED. A motor vehicle [~~required by Chapter 548 to be inspected~~] shall be equipped with:

(1) front safety belts if safety belt anchorages were part of the manufacturer's original equipment on the vehicle; or

(2) for a motor vehicle that is an assembled vehicle, as defined by Section 731.001, front safety belts in vehicles that contain safety belt anchorages.

SECTION 8. The heading to Chapter 548, Transportation Code, is amended to read as follows:

CHAPTER 548. [~~COMPULSORY~~] INSPECTION OF VEHICLES

SECTION 9. Section 548.001(10), Transportation Code, is amended to read as follows:

(10) "Vehicle inspection report" means a report issued by an inspector or an inspection station for a vehicle that indicates whether the vehicle has passed an inspection [~~the safety and, if applicable, emissions inspections~~] required by this chapter.

SECTION 10. Section 548.006(b), Transportation Code, is amended to read as follows:

(b) The members of the commission shall appoint seven members of the committee as follows:

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(1) four persons to represent inspection station owners and operators[~~, with two of those persons from counties conducting vehicle emissions testing under Subchapter F and two of those persons from counties conducting safety only inspections~~];

(2) one person to represent manufacturers of motor vehicle emissions inspection devices;

(3) one person to represent independent vehicle equipment repair technicians; and

(4) one person to represent the public interest.

SECTION 11. Section 548.053, Transportation Code, is transferred to Subchapter E, Chapter 548, Transportation Code, redesignated as Section 548.255, Transportation Code, and amended to read as follows:

Sec. 548.255 [~~548.053~~]. REINSPECTION OF VEHICLE REQUIRING ADJUSTMENT, CORRECTION, OR REPAIR. [~~(a)~~] If an inspection discloses the necessity for adjustment, correction, or repair, an inspection station or inspector may not issue a passing vehicle inspection report until the adjustment, correction, or repair is made. The owner of the vehicle may have the adjustment, correction, or repair made by a qualified person of the owner's choice, subject to reinspection. The vehicle shall be reinspected once free of charge within 15 days after the date of the original inspection, not including the date the original inspection is made, at the same inspection station after the adjustment, correction, or repair is made.

[~~(b) A vehicle that is inspected and is subsequently involved in an accident affecting the safe operation of an item of inspection must be reinspected following repair. The reinspection must be at an inspection station and shall be treated and charged as an initial inspection.~~]

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SECTION 12. Section 548.105, Transportation Code, is transferred to Subchapter E, Chapter 548, Transportation Code, and redesignated as Section 548.2521, Transportation Code, to read as follows:

Sec. 548.2521 [~~548.105~~]. EVIDENCE OF FINANCIAL RESPONSIBILITY AS PREREQUISITE TO ISSUANCE OF PASSING VEHICLE INSPECTION REPORT. (a) An inspection station or inspector may not issue a passing vehicle inspection report for a vehicle unless the owner or operator furnishes evidence of financial responsibility at the time of inspection. Evidence of financial responsibility may be shown in the manner specified under Section 601.053(a). A personal automobile insurance policy used as evidence of financial responsibility must be written for a term of 30 days or more as required by Section 1952.054, Insurance Code.

(b) An inspection station is not liable to a person, including a third party, for issuing a passing vehicle inspection report in reliance on evidence of financial responsibility furnished to the station. An inspection station that is the seller of a motor vehicle may rely on an oral insurance binder.

SECTION 13. Sections 548.203(a) and (b), Transportation Code, are amended to read as follows:

(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) A [~~Notwithstanding Subchapter B, a~~] commercial motor

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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.

SECTION 14. Subchapter E, Chapter 548, Transportation Code, is amended by adding Section 548.257 to read as follows:

Sec. 548.257. TIMING OF INSPECTION FOR REGISTRATION-BASED ENFORCEMENT. The department shall require a vehicle required to be inspected under this chapter to pass the required inspection:

(1) for initial registration, not earlier than 90 days before the date of registration;

(2) for a renewal of registration, not earlier than 90 days before the date of expiration of the vehicle's registration;

(3) if the vehicle is a used motor vehicle sold by a dealer, as defined by Section 503.001, in the 180 days preceding the date the dealer sells the vehicle; or

(4) if the vehicle is subject to the federal motor carrier safety regulations, in a period that complies with those regulations.

SECTION 15. The following provisions of the Transportation Code are repealed:

(1) the heading to Subchapter B, Chapter 548;

(2) Sections 548.051 and 548.052;

(3) the heading to Subchapter C, Chapter 548;

(4) Sections 548.101, 548.102, 548.103, and 548.104;

(5) Sections 548.301(d) and 548.3045(b); and

(6) Sections 548.501, 548.502, and 548.503.

SECTION 16. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 17. This Act takes effect January 1, 2027.