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N/A

Senate Author
Jaelyn Spinx

House Committee
Economic Development

House Authors

Lobbyist

Journalist

Vehicle Inspection Repeal Act

HB 30

Bill Analysis

BACKGROUND & PURPOSE

Interested parties question whether vehicle safety inspection programs do enough to contribute to road safety to justify their existence. Vehicle inspections are costly, time-consuming, and often provide little benefit to public safety. The process requires Texans to take time off work or out of their busy schedules to have their vehicles inspected at a designated location. This can be especially difficult for those living in rural areas, where inspection stations may be few and far between. Many of the items checked during an inspection are not related to safety. For example, inspectors often check the tint on windows and the condition of license plates, which have no bearing on whether a vehicle is safe to drive. These inspections do little to improve road safety and serve only to generate revenue for the state. Furthermore, advances in vehicle technology have made inspections even more unnecessary. Modern vehicles are equipped with onboard diagnostic systems that constantly monitor their performance and can detect any potential issues. As a result, many of the issues that were previously caught during inspections can now be identified and addressed by the vehicle itself.

This bill seeks to address this issue by eliminating regular mandatory vehicle safety inspections.

This bill amends current law relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is modified in SECTION 3 (Section 382.203, Health and Safety Code) and SECTION 18 (Section 548.505, Transportation Code) of this bill.

Rulemaking authority previously granted to the Texas Department of Motor Vehicles is modified in SECTION 5 (Section 502.0025, Transportation Code) of this bill.

Rulemaking authority previously granted to the Public Safety Commission is modified in SECTION 16 (Section 548.203, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 382.0622(a), Health and Safety Code, as follows:

(a) Provides that Clean Air Act fees consist of:

(1) makes no changes to this subdivision;

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(2) each amount described by Sections 548.510(d)(3) and (e)(3), Transportation Code, rather than $2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Sections 548.501 (Inspection Fees Generally) and 548.503 (Initial Two-Year Inspection of Passenger Car or Light Truck), Transportation Code; and

(3) makes no changes to this subdivision.

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

(d) Requires the Department of Public Safety of the State of Texas (DPS), on adoption of a resolution by Texas Commission on Environmental Quality (TCEQ) and after proper notice, to implement a system that requires, in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F (Motor Vehicle Emissions Inspection and Maintenance), Chapter 548, Transportation Code, that a motor vehicle registered in this state, 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.

Deletes existing text requiring DPS, on adoption of a resolution by TCEQ and after proper notice, to implement a system that requires, as a condition of obtaining a passing vehicle inspection report issued under Subchapter C (Periods of Inspection; Prerequisites to Issuance of Passing Vehicle Inspection Report), Chapter 548, Transportation Code, in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F of that Chapter 548, that 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.

(e-1) Requires that the portion of a fee imposed under Subsection (e) (relating to authorizing TCEQ to assess fees for vehicle emissions-related inspections performed at inspection or reinspection facilities authorized and licensed by TCEQ in amounts reasonably necessary to recover certain costs) that is not authorized to be retained by an inspection station be collected as provided by Section 548.509 (Collection of Fee During Registration), Transportation Code.

SECTION 3. Amends Section 382.203(c), Health and Safety Code, to authorize DPS by rule to waive program requirements, in accordance with standards adopted by TCEQ, for certain vehicles and vehicle owners, including a vehicle that DPS can verify is driven an average of less than 5,000 miles each year, rather than that DPS can verify was driven fewer than 5,000 miles since the last safety inspection and reasonably determines will be driven fewer than 5,000 miles during the period before the next safety inspection is required. Makes nonsubstantive changes.

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SECTION 4. Amends Sections 502.0025(d) and (e), Transportation Code, as follows:

(d) Provides that a motor vehicle, semitrailer, or trailer registered under Section 502.0025 (Extended Registration of Certain County Fleet Vehicles) is subject to any applicable inspection requirements, rather than the inspection requirements, of Chapter 548 as if the vehicle, semitrailer, or trailer were registered without an extended registration period.

(e) Makes a conforming change to this subsection.

SECTION 5. Amends Section 502.047(a), Transportation Code, to require TxDMV and DPS, except as provided by Chapter 548, to ensure compliance with motor vehicle inspection requirements under Chapter 548, rather than 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. Makes a nonsubstantive change.

SECTION 6. Amends Section 502.146(d), Transportation Code, to provide that a vehicle described by Subsection (b) (relating to providing that an owner is not required to register a vehicle that is used only temporarily on the highways if the vehicle meets certain criteria) is exempt from the inspection requirements of Subchapter F, rather than Subchapters B and F, Chapter 548.

SECTION 7. Amends Section 547.601, Transportation Code, as follows:

Sec. 547.601. SAFETY BELTS REQUIRED. Requires that a motor vehicle, rather than a motor vehicle required by Chapter 548 to be inspected, be equipped with:

(1) creates this subdivision from existing text; or

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

SECTION 8. Amends the heading to Chapter 548, Transportation Code, to read as follows:

CHAPTER 548. INSPECTION OF VEHICLES

SECTION 9. Amends Section 548.001(10), Transportation Code, to redefine "vehicle inspection report."

SECTION 10. Amends Section 548.006(b), Transportation Code, to require the members of the Public Safety Commission (commission) to appoint seven members of the committee including four persons to represent inspection station owners and operators, rather than four persons to represent inspection station owners and operators with two of those persons from counties conducting vehicle emissions testing under

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Subchapter F and two of those persons from counties conducting safety only inspections.

SECTION 11. Transfers Section 548.053, Transportation Code, to Subchapter E, Chapter 548, Transportation Code, redesignates it as Section 548.255, Transportation Code, and amends it, as follows:

> Sec. 548.255. REINSPECTION OF VEHICLE REQUIRING ADJUSTMENT, CORRECTION, OR REPAIR. Deletes existing Subsection (b) requiring that a vehicle that is inspected and is subsequently involved in an accident affecting the safe operation of an item of inspection be reinspected following repair. Deletes existing text requiring that the reinspection be at an inspection station and be treated and charged as an initial inspection. Makes a nonsubstantive change.

SECTION 12. Transfers Section 548.105, Transportation Code, to Subchapter E, Chapter 548, Transportation Code, redesignates it as Section 548.2521, Transportation Code, and makes no further changes.

SECTION 13. Amends Sections 548.203(a) and (b), Transportation Code, as follows:

> (a) Authorizes the commission by rule to exempt a type of commercial motor vehicle from the application of Subchapter D (Inspection of Commercial Motor Vehicles) if the vehicle:
>
> > (1)-(2) makes no changes to these subdivisions; and
> >
> > (3) complies with each applicable provision in Title 49, Code of Federal Regulations, rather than with Section 548.051 (Vehicles and Equipment Subject to Inspection) and each applicable provision in Title 49, Code of Federal Regulation.
>
> (b) Provides that a commercial motor vehicle, rather than a commercial motor vehicle, notwithstanding Subchapter B, is not subject to the inspection requirements of this chapter if the vehicle meets certain criteria.

SECTION 14. Amends Subchapter E, Chapter 548, Transportation Code, by adding Section 548.257, as follows:

> Sec. 548.257. TIMING OF INSPECTION FOR REGISTRATION-BASED ENFORCEMENT. Requires DPS to 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;

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(3) if the vehicle is a used motor vehicle sold by a dealer, as defined by Section 503.001 (Definitions), 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. Repeals the following provisions of the Transportation Code

(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. Makes application of this Act prospective.

EFFECTIVE DATE
January 1, 2027.