



1 **REASONED JUSTIFICATION.** Senate Bill 876 expands title and registration services beyond those county  
2 tax assessor-collectors required to accept a title or registration application in statute to any county tax  
3 assessor-collector willing to accept the application. Adopted §§217.4, 217.23, 217.28, 217.45, 217.46, and  
4 217.89 address the expansion by adding a reference to "a county tax assessor-collector who is willing to  
5 accept the application" to those existing sections that specified a county tax assessor-collector. Sections  
6 that did not specify a county tax assessor-collector or just the process have not been amended.  
7 The department met with the Customer Service Advisory Committee twice in considering this adoption.  
8 The department appreciates the committee members' serious consideration of the issues presented by  
9 SB 876 and the members' comments.

10 Implementation of SB 876 also involves significant programming modifications to the  
11 department's Registration and Title System (RTS) to enable the routine processing of out-of-county  
12 applications and the distribution of fees as specified in amended Transportation Code §520.006, which  
13 applies if a willing county tax assessor-collector is collecting fees and processing the application on behalf  
14 of a county tax assessor-collector who is designated by statute to process the application.

15 The following paragraphs address the amendments in this adoption.

16 The amendment to §217.2 removes the term "identification certificate" as a defined term and  
17 redesignates the following definitions accordingly. The term is never used alone as a defined term. The  
18 term is used in multiple sections of Chapter 217. It usually refers to a document that is then described as  
19 a form of personal identification such as a driver's license or identification card, but not in a consistent  
20 manner. In §217.4 and §217.89, the term is used and then described similarly to its defined use in §217.2,  
21 as relating to a vehicle inspection under Transportation Code Chapter 548 and §501.030. Chapter 548  
22 refers to the document as a "vehicle inspection report." As such, the term is unnecessary as a defined  
23 term because each use redefines the term.

1           The amendment to §217.4(b)(1) removes the statement "as selected by the applicant." In this  
2 section, the term "applicant" refers to the owner or purchaser of the vehicle. The change conforms the  
3 section with SB 876, which repeals Transportation Code §501.023(e) and §501.0234(e), which required  
4 the purchaser to choose the county the title application was to be filed in. The amendment to §217.4(b)(2)  
5 conforms the section with the SB 876 any willing county amendment to Transportation Code §501.023(a).  
6 The amendment to §217.4(c)(4) removes the requirement for the applicant to provide the seller's mailing  
7 address, which is not required in statute or on the applicable department form. The amendment to  
8 §217.4(d)(4) replaces the term "identification certificate" with "vehicle inspection report" based on the  
9 reasons addressed in the prior discussion of the amendment to §217.2.

10          The amendments to §217.23(c) and (d) are necessary to conform the section with the SB 876 any willing  
11 county amendment to Transportation Code §502.040 and §502.041.

12           The amendments to §217.28(a) and (c) are necessary to conform the section with the SB 876 any  
13 willing county amendment to Transportation Code §502.041. The department has added the term "of the  
14 county" to §217.28(c) to clarify the subsection to read "An initial application for registration must be filed  
15 with the tax assessor-collector of the county in which the owner resides or any county tax assessor-  
16 collector who is willing to accept the application, except as provided in subsection (d) of this section." The  
17 amendment also adds new §217.28(f) to create a definition of a closed county by rule for purposes of  
18 Transportation Code §502.407(c), as required by SB 876. Adopted §217.28(f) is based on the prior closed  
19 definition in §217.4(b)(2), which is being amended as previously discussed in this adoption to conform  
20 §217.4 to Transportation Code §501.023 as amended by SB 876. The amendment to §217.28(e)(5)  
21 replaces the existing sentence, because proration is covered in §217.45(d)(2). Additionally, the  
22 department adopts nonsubstantive amendments to §217.28(b), (c), and (d) to conform to current  
23 statutory references by replacing the term "license plate" with the term registration and otherwise

1 referring to "registration renewal notice" and clarifying that an applicant may also renew a vehicle  
2 registration via the internet without a registration renewal notice.

3 The amendments to §217.36(b) and (d) are necessary to remove obsolete references to  
4 photographic traffic signal enforcement programs. House Bill 1631 prohibited the use of such programs  
5 with the enactment of Transportation Code §707.20 and §707.21. The department timely implemented  
6 HB 1631 and ceased the prohibited actions; however, a change was not made to the rule to remove the  
7 provisions. Because §217.36(b) was removed, §217.36(c) and (d) have been redesignated as §217.36(b)  
8 and (c), respectively.

9 The amendments to §217.45(b)(3), (d)(3)(B) and (E), (e)(1)(A), and (f)(1) are necessary to conform  
10 the section with the SB 876 any willing county amendment to Transportation Code §502.040 and  
11 §502.041, including by changing the reference from "the" to "a" county tax assessor-collector. The  
12 department has added the phrase "of the county" between the words "assessor-collector" and "in which"  
13 to clarify §217.45(b)(3) and (e)(1)(A). The department has also adopted amending §217.45(f)(1) to remove  
14 the reference to log loader license plates in a replacement paragraph, because log loader plates cannot  
15 be replaced.

16 The amendments to §217.46(d)(3), (e)(1), and (f) are necessary to conform the section with the  
17 SB 876 any willing county amendment to Transportation Code §502.041. The §217.46(d)(3) amendment  
18 removes the reference to "as indicated on the License Plate Renewal Notice" because an "appropriate"  
19 county may be a willing county. Similarly, §217.46(f) amendment removes the requirement to go to "the  
20 county in which the owner resides" for replacement license plates. The amendments to §217.46(c)(1)(C)  
21 and (4) substitute the term "vehicle identification number" for "motor number." The amendment to  
22 §217.46(c)(3)(B)(ii) removes the requirement for "tire size" because the department does not collect the  
23 information in this context. The amendments to §217.46(d)(2), (3), and (4) conform to current statutory

1 references by replacing the term "license plate renewal notice" with the term "registration renewal  
2 notice." Finally, the amendment to §217.46(d)(2) also replaces the word "mail" with "send" should  
3 additional distribution methods be adopted in the future.

4         The amendment to §217.89(b) is necessary to conform the section with the SB 876 any willing  
5 county amendment to Transportation Code §501.023(a). The amendments to §217.89(c) and (d)(3)(B) are  
6 based on a review of the enacting statute HB 3588, 78th Legislature, Regular Session (2003), which  
7 established the \$65 rebuilder fee and submission requirements. House Bill 3588 did not have a savings  
8 clause for the prior inspections. The department is adopting to apply the change prospectively and not to  
9 any existing title issued under the process. The amendments to §217.89(d)(2)(D) and (G) are to update  
10 the rule to conform with the existing process that does not require the owner's address, but does require  
11 the rebuilder's name, address, and signature. The amendments to §217.89(d)(3)(A) update the  
12 requirement to refer to the "authorization or certificate number and the date of inspection" instead of a  
13 "sticker" number and "expiration." The amendment to §217.89(d)(5) updates the statutory reference to  
14 Transportation Code §502.046, which was transferred, redesignated, and amended from Transportation  
15 Code §502.153 by HB 2357 Acts 2011, 82nd Legislature, Regular Session (2012).

16         The rules are adopted to be effective March 1, 2022, the effective date of SB 876.

17 **SUMMARY OF COMMENTS.**

18         The department received written comments requesting a change in the proposed text from the  
19 Lubbock County Tax Assessor-Collector, Tax Assessor Collectors Association of Texas, Texas Automobile  
20 Dealers Association, and Texas Independent Automobile Dealers Association.

21

22 Comment:

1 Two commenters recommended the department add language to the rule that clarifies how  
2 funds will be collected, refunded, and dispersed between willing counties. The commenter asked how  
3 dishonored payments will be managed efficiently.

4 Agency Response:

5 The department appreciates the comment. The rules as proposed conform existing rule to the  
6 requirements of SB 876. As amended by SB 876, Transportation Code §520.006 specifies the distribution  
7 of fees that each county will receive. The rules as proposed do not address the disbursement of  
8 funds, and are outside the scope of the proposal. Counties will remit funds following existing statutes  
9 such as Transportation Code §502.198. The department will make any necessary programming changes  
10 in the existing Registration and Title System to ensure the existing requirements for the fee distribution  
11 continue as specified under law including in Transportation Code §520.006. The department declines to  
12 make changes based on the comment.

13

14 Comment:

15 A commenter asked if a title is processed in a participating county, not the county of residence,  
16 and the title is rejected through Austin or NMVTIS, how will the affected county be able to access the  
17 documents to correct the title in a timely manner.

18 Agency Response:

19 The department appreciates the comment. Senate Bill 876 has no impact on processing rejected  
20 transactions. The proposed rules do not change existing requirements for the processing county. Under  
21 current practice, the processing county is responsible for rejected transactions. The department declines  
22 to make changes based on the comment.

23

1 Comment:

2 A commenter asked how specialty license plates will be picked up from a participating county if  
3 they are currently sent to their county based on the address.

4 Agency Response:

5 The department appreciates the comment. The proposed rules do not change existing processes  
6 for specialty license plates. The department will continue to send specialty license plates to the county  
7 of residence. The department declines to make changes based on the comment.

8

9 Comment:

10 A commenter recommended including language that affirms that the department will be  
11 responsible for dispersing funds collected between willing counties.

12 Agency Response:

13 The department appreciates the comment. The rules as proposed conform existing rule to the  
14 requirements of SB 876. As amended by SB 876, Transportation Code §520.006 specifies the distribution  
15 of fees that each county will receive. The rules as proposed do not address the disbursement of funds  
16 and are outside the scope of the proposal. Counties will remit funds following existing statutes such as  
17 Transportation Code §502.198. The department will make any necessary programming changes in the  
18 existing Registration and Title System to ensure the existing requirements for the fee distribution  
19 continue as specified under law including in Transportation Code §520.006. The department declines to  
20 make changes based on the comment.

21

22 Comment:

1           A commenter recommended including language that affirms the department will be responsible  
2 for dispersing funds collected to all state agencies in the same manner as is currently dispersed if  
3 processed by a willing county.

4 Agency Response:

5           The department appreciates the comments regarding the disbursement of fees. The rules as  
6 proposed implement SB 876. The existing requirements under Transportation Code §520.006 that  
7 specifies the fees that each county receives was not changed by SB 876. The rules as proposed do not  
8 address the disbursement of funds as that is outside the scope of the rule. Counties will remit funds  
9 following existing statutes such as Transportation Code §502.198. The department will make any  
10 necessary programming changes in the existing Registration and Title System to ensure the existing  
11 requirements for the fee distribution continue as specified under existing law including in  
12 Transportation Code §520.006. The department declines to make changes based on the comment.

13

14 Comment:

15           A commenter recommended including language detailing the management of NMVTIS if  
16 processed in a willing county

17 Agency Response:

18 The department appreciates the comment. The processing county will continue to process rejected  
19 transactions following existing processes. The department declines to make a change based on the  
20 comment.

21

22 Comment:



1           A commenter recommended including language that affirms that the department, through the  
2 Registration Title System, will be capable of validating the owner of resident's county to ensure the tax  
3 assessor-collector office is not responsible to validate the renewal, owner and vehicle location address  
4 through other means.

5 Agency Response:

6           The department appreciates the comment. The department will make conforming  
7 programming changes as necessary to department systems to ensure the validation of information  
8 necessary to determine whether the county as a willing county or statutory county. The department  
9 declines to make a change to the rule text regarding programming internal system based on the  
10 comment because it is outside the scope of the rule.

11

12 Comment:

13           A commenter recommended including language that the Registration and Title System will be  
14 capable of validating emission and non-emission counties for proper assessment of fees.

15 Agency Response:

16           The department appreciates the comment. The department will make conforming programming  
17 changes as necessary to department systems to validate emission and non-emission counties. The  
18 department declines to make a change based on the comment.

19

20 Comment:

21           A commenter recommended including language that details the manner by which companion  
22 applications such as webDealer, webSub, etc. will determine willing versus statutory counties.

23 Agency Response:

1           The department appreciates the comments. The proposed rules do not address webDealer,  
2 webSub, or other similar applications. If a county is willing that county's deputies will be willing. The  
3 department declines to make a change based on the comment.

4

5   Comment:

6           A commenter stated that §217.23 fails to provide a registration option for situations in which a  
7 natural disaster occurs. The commenter suggests adding §217.23(e) which states "if a county tax  
8 assessor-collector is closed or a county has been declared a natural disaster, the closest unaffected  
9 county shall be considered where an owner resides, or a motor vehicle is purchased or encumbered."

10   Agency Response:

11           The department appreciates the comment. Transportation Code §501.023 and §502.040(b)  
12 were amended by SB 876 to remove the department's designation of an alternative county if the  
13 owner's county of residence is closed for any reason and to instead allow any willing county to accept  
14 the registration. As such, a county tax assessor-collector may, with any necessary local determination,  
15 decide to assist following a natural disaster. The department declines to make a change based on the  
16 comment.

17

18   Comment:

19           A commenter stated that a "closure" should be defined as a "county tax assessor-collector being  
20 open to receive and process registrations for both dealers and residents for less than 35 hours a week."

21   Agency Response:

22           The department appreciates the comment. As addressed in prior responses to comments,  
23 Transportation Code §501.023 and §502.040(b) were amended by SB 876 to remove the department's

1 designation of an alternative county if the owner's county of residence is closed for any reason and to  
2 instead allow any willing county to accept the registration. The department declines to make a change  
3 based on the comment.

4

5 Comment:

6 A commenter states that it should be clear if the normal tax assessor-collector is closed then the  
7 processor is paid the same amount as they would be for any other consumer residing in their county.

8 Agency Response:

9 The department appreciates the comment. As addressed in prior responses to comments,  
10 Transportation Code §501.023 and §502.040(b) were amended by SB 876 to remove the department's  
11 designation of an alternative county if the owner's county of residence is closed for any reason and to  
12 instead allow any willing county to accept the registration. Transactions involving a willing county will be  
13 determined under Transportation Code §520.006 as amended by SB 876. The department declines to  
14 make a change based on the comment.

15

16 Comment:

17 A commenter asked as there is no definition of "willing to accept the application," is a TAC  
18 allowed to pick and choose which dealer's transactions it is "willing" to accept?

19 Agency Response:

20 The department appreciates the comment. The department agrees that statute did not define  
21 "willing to accept the application" or provide additional requirements. The department declines to make  
22 a change based on the comment.

23

1 Comment:

2 A commenter asked if a county tax assessor-collector is required to disclose the necessary  
3 requirements for its willingness to accept an application.

4 Agency Response:

5 The department appreciates the comment. Statute does not specify any requirements for a county. The  
6 department declines to make a change based on the comment.

7

8 Comment:

9 A commenter asked if a TAC can decide to be "willing" one week and not "willing" the next week  
10 to accept applications.

11 Agency Response:

12 The department appreciates the comment. Statute does not specify any requirements for a  
13 county concerning how it must determine if and when it is a willing county. The department declines to  
14 make a change based on the comment.

15

16 Comment:

17 A commenter asked if a TAC is required to give or post a notice regarding its willingness to  
18 accept applications so that dealers and others know of their willingness.

19 Agency Response:

20 The department appreciates the comment. Statute does not specify any requirements for a  
21 county to post notice. The department will allow webDealer to display any county that has agreed to  
22 process a dealer's transactions. The department declines to make a change based on the comment.

23

1 Comment:

2 A commenter recommended that, as an offense is committed after the fifth working day after a  
3 vehicle's registration expires, the department propose a definition of "closed" to allow for a knowable  
4 defense under §502.407, Transportation Code.

5 Agency Response:

6 The department appreciates the comment. Section 217.28(f) has been added to create a  
7 definition of a closed county by rule for the sole purpose of Transportation Code §502.407(c) as required  
8 by SB 876. The department is relying on the prior definition of a closed county which was used for the  
9 purpose of Transportation Code §502.407(c) in the past. Transportation Code §501.023 and §502.040(b)  
10 were amended by SB 876 to remove the department's designation of an alternative county if the  
11 owner's county of residence is closed for any reason and to instead allow any willing county to accept  
12 the registration. The department declines to make a change based on the comment.

13

14 Comment:

15 A commenter asked if an office is open less than eight hours per day for a week, is the office  
16 open and if the office is open five hours in a five-day week, is it considered "open" or "closed."

17 Agency Response:

18 The department appreciates the comment. Transportation Code §501.023 and §502.040(b)  
19 were amended by SB 876 to remove the department's designation of an alternative county if the  
20 owner's county of residence is closed for any reason and to instead allow any willing county to accept  
21 the registration. The department declines to make a change based on the comment.

22

1 **STATUTORY AUTHORITY.** The department adopts amendments to §§217.2, 217.4, 217.23, 217.28,  
2 217.36, 217.45, 217.46, and 217.89 under Transportation Code §§501.0041,502.0021, 520.003, and  
3 1002.001.

4 - Transportation Code §501.0041 authorizes the department to adopt rules to administer  
5 Transportation Code Chapter 501.

6 - Transportation Code §502.0021 authorizes the department to adopt rules to administer  
7 Transportation Code Chapter 502.

8 - Transportation Code §520.003 authorizes the department to adopt rules to administer  
9 Transportation Code Chapter 520;

10 - Transportation Code §1002.001 authorizes the board to adopt rules that are necessary and  
11 appropriate to implement the powers and the duties of the department.

12 **CROSS REFERENCE TO STATUTE.** Transportation Code §§501.023, 501.0234, 501.030, 502.040, 502.041,  
13 502.407, 520.006, 521.144, 707.020 and 707.021.

14 **TEXT.**

15

16 **SUBCHAPTER A. MOTOR VEHICLE TITLES**

17 **43 TAC §217.2 AND §217.4**

18 §217.2. Definitions.

19 The following words and terms, when used in this subchapter, shall have the following meanings, unless  
20 the context clearly indicates otherwise.

21 (1) Alias--The name of a vehicle owner reflected on a title, when the name on the title is  
22 different from the name of the legal owner of the vehicle.

1                   (2) Alias title--A title document issued by the department for a vehicle that is used by an  
2 exempt law enforcement agency in covert criminal investigations.

3                   (3) All-terrain vehicle or ATV--A motor vehicle as defined by Transportation Code,  
4 §551A.001, and designed primarily for recreational use. The term does not include a "utility vehicle" as  
5 defined by Transportation Code, §551A.001, or a self-propelled, motor-driven vehicle designed or  
6 marketed by the manufacturer primarily for non-recreational uses.

7                   (4) Bond release letter--Written notification from the United States Department of  
8 Transportation authorizing United States Customs to release the bond posted for a motor vehicle  
9 imported into the United States to ensure compliance with federal motor vehicle safety standards.

10                  (5) Date of sale--The date of the transfer of possession of a specific vehicle from a seller  
11 to a purchaser.

12                  (6) Division director--The director of the department's Vehicle Titles and Registration  
13 Division.

14                  (7) Executive administrator--The director of a federal agency, the director of a Texas state  
15 agency, the sheriff of a Texas county, or the chief of police of a Texas city who by law possesses the  
16 authority to conduct covert criminal investigations.

17                  (8) Exempt agency--A governmental body exempt by law from paying title or registration  
18 fees for motor vehicles.

19                  (9) Federal motor vehicle safety standards--Motor vehicle safety requirements  
20 promulgated by the United States Department of Transportation, National Highway Traffic Safety  
21 Administration, set forth in Title 49, Code of Federal Regulations.

22                  (10) House moving dolly--An apparatus consisting of metal beams and axles used to move  
23 houses. House moving dollies, by nature of their construction and use, actually form large semitrailers.

1                   (11) Implements of husbandry--Farm implements, machinery, and tools used in tilling the  
2 soil, including self-propelled machinery specifically designed or especially adapted for applying plant food  
3 materials or agricultural chemicals. This term does not include an implement unless it is designed or  
4 adapted for the sole purpose of transporting farm materials or chemicals. This term does not include any  
5 passenger car or truck. This term does include a towed vehicle that transports to the field and spreads  
6 fertilizer or agricultural chemicals; or a motor vehicle designed and adapted to deliver feed to livestock.

7                   (12) Manufacturer's certificate of origin--A form prescribed by the department showing  
8 the original transfer of a new motor vehicle from the manufacturer to the original purchaser, whether  
9 importer, distributor, dealer, or owner and when presented with an application for title showing on  
10 appropriate forms prescribed by the department, each subsequent transfer between distributor and  
11 dealer, dealer and dealer, and dealer and owner.

12                   (13) Moped--A motor vehicle as defined by Transportation Code, §541.201.

13                   (14) Motor vehicle importation form--A declaration form prescribed by the United States  
14 Department of Transportation and certified by United States Customs that relates to any motor vehicle  
15 being brought into the United States and the motor vehicle's compliance with federal motor vehicle safety  
16 standards.

17                   (15) Non-United States standard motor vehicle--A motor vehicle not manufactured in  
18 compliance with federal motor vehicle safety standards.

19                   (16) Obligor--An individual who is required to make payments under the terms of a  
20 support order for a child.

21                   (17) Off-highway vehicle--A motor vehicle as defined by Transportation Code, §551A.001.

22                   (18) Person--An individual, firm, corporation, company, partnership, or other entity.



1           (19) Recreational off-highway vehicle or ROV--A motor vehicle as defined by  
2 Transportation Code, §551A.001, and designed primarily for recreational use. The term does not include  
3 a "utility vehicle" as defined by Transportation Code, §551A.001, or a self-propelled, motor-driven vehicle  
4 designed or marketed by the manufacturer primarily for non-recreational uses.

5           (20) Safety certification label--A label placed on a motor vehicle by a manufacturer  
6 certifying that the motor vehicle complies with all federal motor vehicle safety standards.

7           (21) Sand rail--A motor vehicle as defined by Transportation Code, §551A.001.

8           (22) Statement of fact--A written declaration that supports an application for a title, that  
9 is executed by an involved party to a transaction involving a motor vehicle, and that clarifies an error made  
10 on a title or other negotiable evidence of ownership. An involved party is the seller, or an agent of the  
11 seller involved in the motor vehicle transaction. When a written declaration is necessary to correct an  
12 odometer disclosure error, the signatures of both the seller and buyer when the error occurred are  
13 required.

14           (23) Title application--A form prescribed by the division director that reflects the  
15 information required by the department to create a motor vehicle title record.

16           (24) Utility vehicle or UTV--A motor vehicle as defined by Transportation Code,  
17 §551A.001, and designed primarily for utility use. The term does not include a "golf cart" as defined by  
18 Transportation Code, §551.401, or a self-propelled, motor-driven vehicle designed or marketed by the  
19 manufacturer primarily for non-utility uses.

20           (25) Verifiable proof--Additional documentation required of a vehicle owner, lienholder,  
21 or agent executing an application for a certified copy of a title.

22           (A) Individual applicant. If the applicant is an individual, verifiable proof consists  
23 of a copy of a current photo identification issued by this state or by the United States or foreign passport.

1 (B) Business applicant. If the applicant is a business, verifiable proof consists of an  
2 original or copy of a letter of signature authority on letterhead, a business card, or employee identification  
3 and a copy of current photo identification issued by this state or by the United States or foreign passport.

4 (C) Power of attorney. If the applicant is a person in whose favor a power of  
5 attorney has been executed by the owner or lienholder, verifiable proof consists of the documentation  
6 required under subparagraph (A) or (B) of this paragraph both for the owner or lienholder and for the  
7 person in whose favor the power of attorney is executed.

8

9 §217.4 Initial Application for Title.

10 (a) Time for application. A person must apply for the title not later than the 30th day after the  
11 date of assignment, except:

12 (1) in a seller-financed sale, the title must be applied for not later than the 45th day after  
13 the date the motor vehicle is delivered to the purchaser;

14 (2) a member of the armed forces or a member of a reserve component of the United  
15 States, a member of the Texas National Guard or of the National Guard of another state serving on active  
16 duty, must apply not later than the 60th day after the date of assignment of ownership; or

17 (3) as otherwise provided by Transportation Code, Chapter 501.

18 (b) Place of application. Except as otherwise provided by Transportation Code, Chapters 501 and  
19 502, and by §217.84(a) of this title (relating to Application for Nonrepairable or Salvage Vehicle Title),  
20 when motor vehicle ownership is transferred, a title application must be filed with:

21 (1) the county tax assessor-collector in the county in which the applicant resides or in the  
22 county in which the motor vehicle was purchased or encumbered; or

23 (2) a county tax assessor-collector of a county who is willing to accept the application.

1 (c) Information to be included on application. An applicant for an initial title must file an  
2 application on a form prescribed by the department. The form will at a minimum require the:

3 (1) motor vehicle description including, but not limited to, the motor vehicle:

4 (A) year;

5 (B) make;

6 (C) identification number;

7 (D) body style; and

8 (E) empty weight;

9 (2) license plate number, if the motor vehicle is subject to registration under  
10 Transportation Code, Chapter 502;

11 (3) odometer reading and brand, or the word "exempt" if the motor vehicle is exempt  
12 from federal and state odometer disclosure requirements;

13 (4) previous owner's legal name and municipality and state, if available;

14 (5) legal name as stated on the identification presented and complete address of the  
15 applicant;

16 (6) name and mailing address of any lienholder and the date of lien, if applicable;

17 (7) signature of the seller of the motor vehicle or the seller's authorized agent and the  
18 date the title application was signed; and

19 (8) signature of the applicant or the applicant's authorized agent and the date the title  
20 application was signed.

21 (d) Accompanying documentation. The title application must be supported by, at a minimum, the  
22 following documents:

1 (1) evidence of vehicle ownership, as described in §217.5 of this title (relating to Evidence  
2 of Motor Vehicle Ownership);

3 (2) an odometer disclosure statement properly executed by the seller of the motor vehicle  
4 and acknowledged by the purchaser, if applicable;

5 (3) proof of financial responsibility in the applicant's name, as required by Transportation  
6 Code, §502.046, unless otherwise exempted by law;

7 (4) a vehicle inspection report if required by Transportation Code, Chapter 548, and  
8 Transportation Code, §501.030, and if the vehicle is being titled and registered, or registered only;

9 (5) a release of any liens, provided that if any liens are not released, they will be carried  
10 forward on the new title application with the following limitations:

11 (A) A lien recorded on out-of-state evidence as described in §217.5 cannot be  
12 carried forward to a Texas title when there is a transfer of ownership, unless a release of lien or  
13 authorization from the lienholder is attached; and

14 (B) A lien recorded on out-of-state evidence as described in §217.5 is not  
15 required to be released when there is no transfer of ownership from an out-of-state title and the same  
16 lienholder is being recorded on the Texas application as is recorded on the out-of-state title; and

17 (6) any documents required by §217.9 of this title (relating to Bonded Titles).

18

19 **SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

20 **43 TAC §§217.23, 217.28, 217.36, 217.45, and 217.46**

21

22 §217.23. Initial Application for Vehicle Registration.

1 (a) An applicant for initial vehicle registration must file an application on a form prescribed by the  
2 department. The form will at a minimum require:

3 (1) the signature of the owner;

4 (2) the motor vehicle description, including, but not limited to, the motor vehicle's year,  
5 make, model, vehicle identification number, body style, carrying capacity for commercial motor vehicles,  
6 and empty weight;

7 (3) the license plate number;

8 (4) the odometer reading, or the word "exempt" if the motor vehicle is exempt from  
9 federal and state odometer disclosure requirements;

10 (5) the name and complete address of the applicant; and

11 (6) the name, mailing address, and date of any liens.

12 (b) The application must be accompanied by the following:

13 (1) evidence of vehicle ownership as specified in Transportation Code, §501.030, unless  
14 the vehicle has been issued a nonrepairable or salvage vehicle title in accordance with Transportation  
15 Code, Chapter 501, Subchapter E;

16 (2) registration fees prescribed by law;

17 (3) any local fees or other fees prescribed by law and collected in conjunction with  
18 registering a vehicle;

19 (4) evidence of financial responsibility required by Transportation Code, §502.046, unless  
20 otherwise exempted by law;

21 (5) the processing and handling fee prescribed by §217.183 of this title (relating to Fee  
22 Amount); and

23 (6) any other documents or fees required by law.

1 (c) An initial application for registration must be filed with the tax assessor-collector of the county  
2 in which the owner resides or any county tax assessor-collector who is willing to accept the application,  
3 except as provided in subsection (d) of this section.

4 (d) An application for registration, as a prerequisite to filing an application for title, may be filed  
5 with the county tax assessor-collector in the county in which:

6 (1) the owner resides;

7 (2) the motor vehicle is purchased or encumbered; or

8 (3) a county tax assessor-collector who is willing to accept the application.

9

10 §217.28. Vehicle Registration Renewal.

11 (a) To renew vehicle registration, a vehicle owner must apply to the tax assessor-collector of the  
12 county in which the owner resides or a county tax assessor-collector who is willing to accept the  
13 application.

14 (b) The department will send a registration renewal notice, indicating the proper registration fee  
15 and the month and year the registration expires, to each vehicle owner prior to the expiration of the  
16 vehicle's registration.

17 (c) The registration renewal notice should be returned by the vehicle owner to the county tax  
18 assessor-collector in the county in which the owner resides or a county tax assessor-collector who is  
19 willing to accept the application, or to that tax assessor-collector's deputy, either in person or by mail,  
20 unless the vehicle owner renews via the Internet. The renewal notice must be accompanied by the  
21 following documents and fees:

22 (1) registration renewal fees prescribed by law;

1                   (2) any local fees or other fees prescribed by law and collected in conjunction with  
2 registration renewal; and

3                   (3) evidence of financial responsibility required by Transportation Code, §502.046, unless  
4 otherwise exempted by law.

5                   (d) If a registration renewal notice is lost, destroyed, or not received by the vehicle owner, the  
6 vehicle may be registered if the owner presents personal identification acceptable to the county tax  
7 assessor-collector or via the Internet. Failure to receive the notice does not relieve the owner of the  
8 responsibility to renew the vehicle's registration.

9                   (e) Renewal of expired vehicle registrations.

10                   (1) In accordance with Transportation Code, §502.407, a vehicle with an expired  
11 registration may not be operated on the highways of the state after the fifth working day after the date a  
12 vehicle registration expires.

13                   (2) If the owner has been arrested or cited for operating the vehicle without valid  
14 registration then a 20% delinquency penalty is due when registration is renewed, the full annual fee will  
15 be collected, and the vehicle registration expiration month will remain the same.

16                   (3) If the county tax assessor-collector or the department determines that a registrant has  
17 a valid reason for being delinquent in registration, the vehicle owner will be required to pay for 12 months'  
18 registration. Renewal will establish a new registration expiration month that will end on the last day of  
19 the eleventh month following the month of registration renewal.

20                   (4) If the county tax assessor-collector or the department determines that a registrant  
21 does not have a valid reason for being delinquent in registration, the full annual fee will be collected and  
22 the vehicle registration expiration month will remain the same.

1 (5) Specialty license plates, symbols, tabs, or other devices may be prorated as provided  
2 in §217.45(d)(2) of this title (relating to Specialty License Plates, Symbols, Tabs, and Other Devices).

3 (6) Evidence of a valid reason may include receipts, passport dates, and military orders.

4 Valid reasons may include:

5 (A) extensive repairs on the vehicle;

6 (B) the person was out of the country;

7 (C) the vehicle is used only for seasonal use;

8 (D) military orders;

9 (E) storage of the vehicle;

10 (F) a medical condition such as an extended hospital stay; and

11 (G) any other reason submitted with evidence that the county tax assessor-  
12 collector or the department determines is valid.

13 (f) For purposes of Transportation Code §502.407(c), the county tax assessor-collector's office of  
14 the county in which the owner resides is closed for a protracted period of time if the county tax assessor-  
15 collector's office has notified the department that it is closed or will be closed for more than one week.

16

17 §217.36. Refusal to Register by Local Government and Record Notation.

18 (a) Enforcement of traffic warrant. A municipality may enter into a contract with the department  
19 under Government Code, Chapter 791, to indicate in the state's motor vehicle records that the owner of  
20 the vehicle is a person for whom a warrant of arrest is outstanding for failure to appear or who has failed  
21 to pay a fine on a complaint involving a violation of a traffic law. In accordance with Transportation Code,  
22 §702.003, a county tax assessor-collector may refuse to register a motor vehicle if such a failure is  
23 indicated in the motor vehicle record for that motor vehicle. A municipality is responsible for obtaining



1 the agreement of the county in which the municipality is located to refuse to register motor vehicles for  
2 failure to pay civil penalties imposed by the municipality.

3 (b) Refusal to register vehicle in certain counties. A county may enter into a contract with the  
4 department under Government Code, Chapter 791 to indicate in the state's motor vehicle records that  
5 the owner of the vehicle has failed to pay a fine, fee, or tax that is past due. In accordance with  
6 Transportation Code, §502.010, a county tax assessor-collector may refuse to register a motor vehicle if  
7 such a failure is indicated in the motor vehicle record for that motor vehicle.

8 (c) Record notation. A contract between the department and a county, municipality, or local  
9 authority entered into under Transportation Code, §502.010 or Transportation Code, §702.003 will  
10 contain the terms set out in this subsection.

11 (1) To place or remove a registration denial flag on a vehicle record, the contracting entity  
12 must submit a magnetic tape or other acceptable submission medium as determined by the department  
13 in a format prescribed by the department.

14 (2) The information submitted by the contracting entity will include, at a minimum, the  
15 vehicle identification number and the license plate number of the affected vehicle.

16 (3) If the contracting entity data submission contains bad or corrupted data, the  
17 submission medium will be returned to the contracting entity with no further action by the department.

18 (4) The magnetic tape or other submission medium must be submitted to the department  
19 from a single source within the contracting entity.

20 (5) The submission of a magnetic tape or other submission medium to the department by  
21 a contracting entity constitutes a certification by that entity that it has complied with all applicable laws.

22

23 §217.45. Specialty License Plates, Symbols, Tabs, and Other Devices.

1 (a) Purpose and Scope. Transportation Code, Chapters 504, 551, and 551A charge the department  
2 with providing specialty license plates, symbols, tabs, and other devices. For the department to perform  
3 these duties efficiently and effectively, this section prescribes the policies and procedures for the  
4 application, issuance, and renewal of specialty license plates, symbols, tabs, and other devices, through  
5 the county tax assessor-collectors, and establishes application fees, expiration dates, and registration  
6 periods for certain specialty license plates. This section does not apply to military license plates except as  
7 provided by §217.43 of this title (relating to Military Specialty License Plates).

8 (b) Initial application for specialty license plates, symbols, tabs, or other devices.

9 (1) Application Process.

10 (A) Procedure. An owner of a vehicle registered as specified in this subchapter  
11 who wishes to apply for a specialty license plate, symbol, tab, or other device must do so on a form  
12 prescribed by the director.

13 (B) Form requirements. The application form shall at a minimum require the  
14 name and complete address of the applicant.

15 (2) Fees and Documentation.

16 (A) The application must be accompanied by the prescribed registration fee,  
17 unless exempted by statute.

18 (B) The application must be accompanied by the statutorily prescribed specialty  
19 license plate fee. If a registration period is greater than 12 months, the expiration date of a specialty  
20 license plate, symbol, tab, or other device will be aligned with the registration period and the specialty  
21 plate fee will be adjusted to yield the appropriate fee. If the statutory annual fee for a specialty license  
22 plate is \$5 or less, it will not be prorated.

1 (C) Specialty license plate fees will not be refunded after an application is  
2 submitted and the department has approved issuance of the license plate.

3 (D) The application must be accompanied by prescribed local fees or other fees  
4 that are collected in conjunction with registering a vehicle, with the exception of vehicles bearing license  
5 plates that are exempt by statute from these fees.

6 (E) The application must include evidence of eligibility for any specialty license  
7 plates. The evidence of eligibility may include, but is not limited to:

8 (i) an official document issued by a governmental entity; or

9 (ii) a letter issued by a governmental entity on that agency's letterhead.

10 (F) Initial applications for license plates for display on Exhibition Vehicles must  
11 include a photograph of the completed vehicle.

12 (3) Place of application. Applications for specialty license plates may be made directly to  
13 the county tax assessor-collector of the county in which the owner resides or a county tax assessor-  
14 collector who is willing to accept the application, except that applications for the following license plates  
15 must be made directly to the department:

16 (A) County Judge;

17 (B) Federal Administrative Law Judge;

18 (C) State Judge;

19 (D) State Official;

20 (E) U.S. Congress--House;

21 (F) U.S. Congress--Senate; and

22 (G) U.S. Judge.

23 (4) Gift plates.

1 (A) A person may purchase general distribution specialty license plates as a gift  
2 for another person if the purchaser submits an application for the specialty license plates that provides:

3 (i) the name and address of the person who will receive the plates; and

4 (ii) the vehicle identification number of the vehicle on which the plates  
5 will be displayed.

6 (B) To be valid for use on a motor vehicle, the recipient of the plates must file an  
7 application with the county tax assessor-collector and pay the statutorily required registration fees in the  
8 amount as provided by Transportation Code, Chapter 502 and this subchapter.

9 (c) Initial issuance of specialty license plates, symbols, tabs, or other devices.

10 (1) Issuance. On receipt of a completed initial application for registration, accompanied  
11 by the prescribed documentation and fees, the department will issue specialty license plates, symbols,  
12 tabs, or other devices to be displayed on the vehicle for which the license plates, symbols, tabs, or other  
13 devices were issued for the current registration period. If the vehicle for which the specialty license plates,  
14 symbols, tabs, or other devices are issued is currently registered, the owner must surrender the license  
15 plates currently displayed on the vehicle, along with the corresponding license receipt, before the  
16 specialty license plates may be issued.

17 (2) Classic Motor Vehicles, Classic Travel Trailers, Custom Vehicles, Street Rods, and  
18 Exhibition Vehicles.

19 (A) License plates. Texas license plates that were issued the same year as the  
20 model year of a Classic Motor Vehicle, Travel Trailer, Street Rod, or Exhibition Vehicle may be displayed  
21 on that vehicle under Transportation Code, §504.501 and §504.502, unless:

22 (i) the license plate's original use was restricted by statute to another  
23 vehicle type;

1 (ii) the license plate is a qualifying plate type that originally required the  
2 owner to meet one or more eligibility requirements, except for a plate issued under Transportation Code,  
3 §504.202; or

4 (iii) the alpha numeric pattern is already in use on another vehicle.

5 (B) Validation stickers and tabs. The department will issue validation stickers and  
6 tabs for display on license plates that are displayed as provided by subparagraph (A) of this paragraph.

7 (3) Number of plates issued.

8 (A) Two plates. Unless otherwise listed in subparagraph (B) of this paragraph, two  
9 specialty license plates, each bearing the same license plate number, will be issued per vehicle.

10 (B) One plate. One license plate will be issued per vehicle for all motorcycles and  
11 for the following specialty license plates:

12 (i) Antique Vehicle (includes Antique Auto, Antique Truck, Antique  
13 Motorcycle, and Antique Bus);

14 (ii) Classic Travel Trailer;

15 (iii) Rental Trailer;

16 (iv) Travel Trailer;

17 (v) Cotton Vehicle;

18 (vi) Disaster Relief;

19 (vii) Forestry Vehicle;

20 (viii) Golf Cart;

21 (ix) Log Loader;

22 (x) Military Vehicle;

23 (xi) Package Delivery Vehicle;

1 (xii) Fertilizer; and

2 (xiii) Off-highway Vehicle.

3 (C) Registration number. The identification number assigned by the military may  
4 be approved as the registration number instead of displaying Military Vehicle license plates on a former  
5 military vehicle.

6 (4) Assignment of plates.

7 (A) Title holder. Unless otherwise exempted by law or this section, the vehicle on  
8 which specialty license plates, symbols, tabs, or other devices is to be displayed shall be titled in the name  
9 of the person to whom the specialty license plates, symbols, tabs, or other devices is assigned, or a title  
10 application shall be filed in that person's name at the time the specialty license plates, symbols, tabs, or  
11 other devices are issued.

12 (B) Non-owner vehicle. If the vehicle is titled in a name other than that of the  
13 applicant, the applicant must provide evidence of having the legal right of possession and control of the  
14 vehicle.

15 (C) Leased vehicle. In the case of a leased vehicle, the applicant must provide a  
16 copy of the lease agreement verifying that the applicant currently leases the vehicle.

17 (5) Classification of neighborhood electric vehicles. The registration classification of a  
18 neighborhood electric vehicle, as defined by §217.3(3) of this title (relating to Motor Vehicle Titles) will  
19 be determined by whether it is designed as a 4-wheeled truck or a 4-wheeled passenger vehicle.

20 (6) Number of vehicles. An owner may obtain specialty license plates, symbols, tabs, or  
21 other devices for an unlimited number of vehicles, unless the statute limits the number of vehicles for  
22 which the specialty license plate may be issued.

23 (7) Personalized plate numbers.

1 (A) Issuance. The department will issue a personalized license plate number  
2 subject to the exceptions set forth in this paragraph.

3 (B) Character limit. A personalized license plate number may contain no more  
4 than six alpha or numeric characters or a combination of characters. Depending upon the specialty license  
5 plate design and vehicle class, the number of characters may vary. Spaces, hyphens, periods, hearts, stars,  
6 the International Symbol of Access, or silhouettes of the state of Texas may be used in conjunction with  
7 the license plate number.

8 (C) Personalized plates not approved. A personalized license plate number will  
9 not be approved by the executive director if the alpha-numeric pattern:

10 (i) conflicts with the department's current or proposed regular license  
11 plate numbering system;

12 (ii) would violate §217.27 of this title (relating to Vehicle Registration  
13 Insignia), as determined by the executive director; or

14 (iii) is currently issued to another owner.

15 (D) Classifications of vehicles eligible for personalized plates. Unless otherwise  
16 listed in subparagraph (E) of this paragraph, personalized plates are available for all classifications of  
17 vehicles.

18 (E) Categories of plates for which personalized plates are not available.  
19 Personalized license plate numbers are not available for display on the following specialty license plates:

20 (i) Amateur Radio (other than the official call letters of the vehicle owner);

21 (ii) Antique Motorcycle;

22 (iii) Antique Vehicle (includes Antique Auto, Antique Truck, and Antique  
23 Bus);

- 1 (iv) Apportioned;
- 2 (v) Cotton Vehicle;
- 3 (vi) Disaster Relief;
- 4 (vii) Farm Trailer (except Go Texan II);
- 5 (viii) Farm Truck (except Go Texan II);
- 6 (ix) Farm Truck Tractor (except Go Texan II);
- 7 (x) Fertilizer;
- 8 (xi) Forestry Vehicle;
- 9 (xii) Log Loader;
- 10 (xiii) Machinery;
- 11 (xiv) Permit;
- 12 (xv) Rental Trailer;
- 13 (xvi) Soil Conservation;
- 14 (xvii) Texas Guard;
- 15 (xviii) Golf Cart;
- 16 (xix) Package Delivery Vehicle; and
- 17 (xx) Off-highway Vehicle.

18 (F) Fee. Unless specified by statute, a personalized license plate fee of \$40 will be  
19 charged in addition to any prescribed specialty license plate fee.

20 (G) Priority. Once a personalized license plate number has been assigned to an  
21 applicant, the owner shall have priority to that number for succeeding years if a timely renewal application  
22 is submitted to the county tax assessor-collector each year in accordance with subsection (d) of this  
23 section.



1 (d) Specialty license plate renewal.

2 (1) Renewal deadline. If a personalized license plate is not renewed within 60 days after  
3 its expiration date, a subsequent renewal application will be treated as an application for new  
4 personalized license plates.

5 (2) Length of validation. Except as provided by Transportation Code, §§504.401,  
6 504.4061, or 504.502, all specialty license plates, symbols, tabs, or other devices shall be valid for 12  
7 months from the month of issuance or for a prorated period of at least 12 months coinciding with the  
8 expiration of registration.

9 (3) Renewal.

10 (A) Renewal notice. Approximately 60 days before the expiration date of a  
11 specialty license plate, symbol, tab, or other device, the department will send each owner a renewal  
12 notice that includes the amount of the specialty plate fee and the registration fee.

13 (B) Return of notice. The owner must return the fee and any prescribed  
14 documentation to the tax assessor-collector of the county in which the owner resides or a county tax  
15 assessor-collector who is willing to accept the application, except that the owner of a vehicle with one of  
16 the following license plates must return the documentation, and specialty license plate fee, if applicable,  
17 directly to the department and submit the registration fee to a county tax assessor-collector:

18 (i) County Judge;

19 (ii) Federal Administrative Law Judge;

20 (iii) State Judge;

21 (iv) State Official;

22 (v) U.S. Congress--House;

23 (vi) U.S. Congress--Senate; and

1 (vii) U.S. Judge.

2 (C) Expired plate numbers. The department will retain a specialty license plate  
3 number for 60 days after the expiration date of the plates if the plates are not renewed on or before their  
4 expiration date. After 60 days the number may be reissued to a new applicant. All specialty license plate  
5 renewals received after the expiration of the 60 days will be treated as new applications.

6 (D) Issuance of validation insignia. On receipt of a completed license plate  
7 renewal application and prescribed documentation, the department will issue registration validation  
8 insignia as specified in §217.27 unless this section or other law requires the issuance of new license plates  
9 to the owner.

10 (E) Lost or destroyed renewal notices. If a renewal notice is lost, destroyed, or not  
11 received by the vehicle owner, the specialty license plates, symbol, tab, or other device may be renewed  
12 if the owner provides acceptable personal identification along with the appropriate fees and  
13 documentation to the tax assessor-collector of the county in which the owner resides or a county tax  
14 assessor-collector who is willing to accept the application. Failure to receive the notice does not relieve  
15 the owner of the responsibility to renew the vehicle's registration.

16 (e) Transfer of specialty license plates.

17 (1) Transfer between vehicles.

18 (A) Transferable between vehicles. The owner of a vehicle with specialty license  
19 plates, symbols, tabs, or other devices may transfer the specialty plates between vehicles by filing an  
20 application through the county tax assessor-collector of the county in which the owner resides or a county  
21 tax assessor-collector who is willing to accept the application, if the vehicle to which the plates are  
22 transferred:

23 (i) is titled or leased in the owner's name; and

1 (ii) meets the vehicle classification requirements for that particular  
2 specialty license plate, symbol, tab, or other device.

3 (B) Non-transferable between vehicles. The following specialty license plates,  
4 symbols, tabs, or other devices are non-transferable between vehicles:

5 (i) Antique Vehicle license plates (includes Antique Auto, Antique Truck,  
6 and Antique Bus), Antique Motorcycle license plates, and Antique tabs;

7 (ii) Classic Auto, Classic Truck, Classic Motorcycle, Classic Travel Trailer,  
8 Street Rod, and Custom Vehicle license plates;

9 (iii) Forestry Vehicle license plates;

10 (iv) Log Loader license plates;

11 (v) Golf Cart license plates;

12 (vi) Package Delivery Vehicle license plates; and

13 (vii) Off-highway Vehicle license plates.

14 (C) New specialty license plates. If the department creates a new specialty license  
15 plate under Transportation Code, §504.801, the department will specify at the time of creation whether  
16 the license plate may be transferred between vehicles.

17 (2) Transfer between owners.

18 (A) Non-transferable between owners. Specialty license plates, symbols, tabs, or  
19 other devices issued under Transportation Code, Chapter 504, Subchapters C, E, and F are not transferable  
20 from one person to another except as specifically permitted by statute.

21 (B) New specialty license plates. If the department creates a new specialty license  
22 plate under Transportation Code, §504.801, the department will specify at the time of creation whether  
23 the license plate may be transferred between owners.

1                   (3) Simultaneous transfer between owners and vehicles. Specialty license plates, symbols,  
2 tabs, or other devices are transferable between owners and vehicles simultaneously only if the owners  
3 and vehicles meet all the requirements in both paragraphs (1) and (2) of this subsection.

4                   (f) Replacement.

5                   (1) Application. When specialty license plates, symbols, tabs, or other devices are lost,  
6 stolen, or mutilated, the owner shall apply directly to a county tax assessor-collector for the issuance of  
7 replacements.

8                   (2) Temporary registration insignia. If the specialty license plate, symbol, tab, or other  
9 device is lost, destroyed, or mutilated to such an extent that it is unusable, and if issuance of a replacement  
10 license plate would require that it be remanufactured, the owner must pay the statutory replacement fee,  
11 and the department will issue a temporary tag for interim use. The owner's new specialty license plate  
12 number will be shown on the temporary tag unless it is a personalized license plate, in which case the  
13 same personalized license plate number will be shown.

14                   (3) Stolen specialty license plates.

15                   (A) The department or county tax assessor-collector will not approve the issuance  
16 of replacement license plates with the same personalized license plate number if the department's  
17 records indicate either the vehicle displaying the personalized license plates or the license plates are  
18 reported as stolen to law enforcement. The owner will be directed to contact the department for another  
19 personalized plate choice.

20                   (B) The owner may select a different personalized number to be issued at no  
21 charge with the same expiration as the stolen specialty plate. On recovery of the stolen vehicle or license  
22 plates, the department will issue, at the owner's or applicant's request, replacement license plates,  
23 bearing the same personalized number as those that were stolen.

1 (g) License plates created after January 1, 1999. In accordance with Transportation Code,  
2 §504.702, the department will begin to issue specialty license plates authorized by a law enacted after  
3 January 1, 1999, only if the sponsoring entity for that license plate submits the following items before the  
4 fifth anniversary of the effective date of the law.

5 (1) The sponsoring entity must submit a written application. The application must be on  
6 a form approved by the director and include, at a minimum:

7 (A) the name of the license plate;

8 (B) the name and address of the sponsoring entity;

9 (C) the name and telephone number of a person authorized to act for the  
10 sponsoring entity; and

11 (D) the deposit.

12 (2) A sponsoring entity is not an agent of the department and does not act for the  
13 department in any matter, and the department does not assume any responsibility for fees or applications  
14 collected by a sponsoring entity.

15 (h) Assignment procedures for state, federal, and county officials.

16 (1) State Officials. State Official license plates contain the distinguishing prefix "SO."  
17 Members of the state legislature may be issued up to three sets of State Official specialty license plates  
18 with the distinguishing prefix "SO," or up to three sets of State Official specialty license plates that depict  
19 the state capitol, and do not display the distinguishing prefix "SO." An application by a member of the  
20 state legislature, for a State Official specialty license plate, must specify the same specialty license plate  
21 design for each applicable vehicle. State Official license plates are assigned in the following order:

22 (A) Governor;

23 (B) Lieutenant Governor;

- 1 (C) Speaker of the House;
- 2 (D) Attorney General;
- 3 (E) Comptroller;
- 4 (F) Land Commissioner;
- 5 (G) Agriculture Commissioner;
- 6 (H) Secretary of State;
- 7 (I) Railroad Commission;
- 8 (J) Supreme Court Chief Justice followed by the remaining justices based on their  
9 seniority;
- 10 (K) Criminal Court of Appeals Presiding Judge followed by the remaining judges  
11 based on their seniority;
- 12 (L) Members of the State Legislature, with Senators assigned in order of district  
13 number followed by Representatives assigned in order of district number, except that in the event of  
14 redistricting, license plates will be reassigned; and
- 15 (M) Board of Education Presiding Officer followed by the remaining members  
16 assigned in district number order, except that in the event of redistricting, license plates will be  
17 reassigned.
- 18 (2) Members of the U.S. Congress.
- 19 (A) U.S. Senate license plates contain the prefix "Senate" and are assigned by  
20 seniority; and
- 21 (B) U.S. House license plates contain the prefix "House" and are assigned in order  
22 of district number, except that in the event of redistricting, license plates will be reassigned.
- 23 (3) Federal Judge.

1 (A) Federal Judge license plates contain the prefix "USA" and are assigned on a  
2 seniority basis within each court in the following order:

3 (i) Judges of the Fifth Circuit Court of Appeals;

4 (ii) Judges of the United States District Courts;

5 (iii) United States Bankruptcy Judges; and

6 (iv) United States Magistrates.

7 (B) Federal Administrative Law Judge plates contain the prefix "US" and are  
8 assigned in the order in which applications are received.

9 (C) A federal judge who retired on or before August 31, 2003, and who held  
10 license plates expiring in March 2004 may continue to receive federal judge plates. A federal judge who  
11 retired after August 31, 2003, is not eligible for U.S. Judge license plates.

12 (4) State Judge.

13 (A) State Judge license plates contain the prefix "TX" and are assigned  
14 sequentially in the following order:

15 (i) Appellate District Courts;

16 (ii) Presiding Judges of Administrative Regions;

17 (iii) Judicial District Courts;

18 (iv) Criminal District Courts; and

19 (v) Family District Courts and County Statutory Courts.

20 (B) A particular alpha-numeric combination will always be assigned to a judge of  
21 the same court to which it was originally assigned.

1 (C) A state judge who retired on or before August 31, 2003, and who held license  
2 plates expiring in March 2004 may continue to receive state judge plates. A state judge who retired after  
3 August 31, 2003, is not eligible for State Judge license plates.

4 (5) County Judge license plates contain the prefix "CJ" and are assigned by county number.

5 (6) In the event of redistricting or other plate reallocation, the department may allow a  
6 state official to retain that official's plate number if the official has had the number for five or more  
7 consecutive years.

8 (i) Development of new specialty license plates.

9 (1) Procedure. The following procedure governs the process of authorizing new specialty  
10 license plates under Transportation Code, §504.801, whether the new license plate originated as a result  
11 of an application or as a department initiative.

12 (2) Applications for the creation of new specialty license plates. An applicant for the  
13 creation of a new specialty license plate, other than a vendor specialty plate under §217.52 of this title  
14 (relating to Marketing of Specialty License Plates through a Private Vendor), must submit a written  
15 application on a form approved by the executive director. The application must include:

16 (A) the applicant's name, address, telephone number, and other identifying  
17 information as directed on the form;

18 (B) certification on Internal Revenue Service letterhead stating that the applicant  
19 is a not-for-profit entity;

20 (C) a draft design of the specialty license plate;

21 (D) projected sales of the plate, including an explanation of how the projected  
22 figure was established;

23 (E) a marketing plan for the plate, including a description of the target market;



1 (F) a licensing agreement from the appropriate third party for any intellectual  
2 property design or design element;

3 (G) a letter from the executive director of the sponsoring state agency stating that  
4 the agency agrees to receive and distribute revenue from the sale of the specialty license plate and that  
5 the use of the funds will not violate a statute or constitutional provision; and

6 (H) other information necessary for the board to reach a decision regarding  
7 approval of the requested specialty plate.

8 (3) Review process. The board:

9 (A) will not consider incomplete applications;

10 (B) may request additional information from an applicant if necessary for a  
11 decision; and

12 (C) will consider specialty license plate applications that are restricted by law to  
13 certain individuals or groups of individuals (qualifying plates) using the same procedures as applications  
14 submitted for plates that are available to everyone (non-qualifying plates).

15 (4) Request for additional information. If the board determines that additional  
16 information is needed, the applicant must return the requested information not later than the requested  
17 due date. If the additional information is not received by that date, the board will return the application  
18 as incomplete unless the board:

19 (A) determines that the additional requested information is not critical for  
20 consideration and approval of the application; and

21 (B) approves the application, pending receipt of the additional information by a  
22 specified due date.

23 (5) Board decision. The board's decision will be based on:

1 (A) compliance with Transportation Code, §504.801;

2 (B) the proposed license plate design, including:

3 (i) whether the design appears to meet the legibility and reflectivity  
4 standards established by the department;

5 (ii) whether the design meets the standards established by the  
6 department for uniqueness;

7 (iii) other information provided during the application process;

8 (iv) the criteria designated in §217.27 as applied to the design; and

9 (v) whether a design is similar enough to an existing plate design that it  
10 may compete with the existing plate sales; and

11 (C) the applicant's ability to comply with Transportation Code, §504.702 relating  
12 to the required deposit or application that must be provided before the manufacture of a new specialty  
13 license plate.

14 (6) Public comment on proposed design. All proposed plate designs will be considered by  
15 the board as an agenda item at a regularly or specially called open meeting. Notice of consideration of  
16 proposed plate designs will be posted in accordance with Office of the Secretary of State meeting notice  
17 requirements. Notice of each license plate design will be posted on the department's Internet website to  
18 receive public comment at least 25 days in advance of the meeting at which it will be considered. The  
19 department will notify all other specialty plate organizations and the sponsoring agencies who administer  
20 specialty license plates issued in accordance with Transportation Code, Chapter 504, Subchapter G, of the  
21 posting. A comment on the proposed design can be submitted in writing through the mechanism provided  
22 on the department's Internet website for submission of comments. Written comments are welcome and

1 must be received by the department at least 10 days in advance of the meeting. Public comment will be  
2 received at the board's meeting.

3 (7) Final approval.

4 (A) Approval. The board will approve or disapprove the specialty license plate  
5 application based on all of the information provided pursuant to this subchapter at an open meeting.

6 (B) Application not approved. If the application is not approved under  
7 subparagraph (A) of this paragraph, the applicant may submit a new application and supporting  
8 documentation for the design to be considered again by the board if:

9 (i) the applicant has additional, required documentation; or

10 (ii) the design has been altered to an acceptable degree.

11 (8) Issuance of specialty plates.

12 (A) If the specialty license plate is approved, the applicant must comply with  
13 Transportation Code, §504.702 before any further processing of the license plate.

14 (B) Approval of the plate does not guarantee that the submitted draft plate design  
15 will be used. The board has final approval authority of all specialty license plate designs and may adjust  
16 or reconfigure the submitted draft design to comply with the format or license plate specifications.

17 (C) If the board, in consultation with the applicant, adjusts or reconfigures the  
18 design, the adjusted or reconfigured design will not be posted on the department's website for additional  
19 comments.

20 (9) Redesign of specialty license plate.

21 (A) Upon receipt of a written request from the applicant, the department will  
22 allow redesign of a specialty license plate.

1 (B) A request for a redesign must meet all application requirements and proceed  
2 through the approval process of a new specialty plate as required by this subsection.

3 (C) An approved license plate redesign does not require the deposit required by  
4 Transportation Code, §504.702, but the applicant must pay a redesign cost to cover administrative  
5 expenses.

6 (j) Golf carts.

7 (1) A county tax assessor-collector may issue golf cart license plates as long as the  
8 requirements under Transportation Code, §551.403 or §551.404 are met.

9 (2) A county tax assessor-collector may only issue golf cart license plates to residents or  
10 property owners of the issuing county.

11 (3) A golf cart license plate may not be used as a registration insignia, and a golf cart may  
12 not be registered for operation on a public highway.

13 (4) The license plate fee for a golf cart license plate is \$10.

14 (k) Off-highway vehicle.

15 (1) A county tax assessor-collector may issue off-highway vehicle license plates as long as  
16 the requirements under Transportation Code, §551A.053 or §551A.055 are met.

17 (2) An off-highway vehicle license plate may not be used as a registration insignia, and an  
18 off-highway vehicle may not be registered for operation on a public highway.

19 (3) The license plate fee for an off-highway vehicle license plate is \$10.

20 (l) Package delivery vehicle.

21 (1) A county tax assessor-collector may issue package delivery license plates as long as  
22 the requirements under Transportation Code, §§551.453, 551.454, and 551.455 are met.

1                   (2) The license plate fee for a package delivery license plate is \$25 to be paid on an annual  
2 basis.

3

4 §217.46. Commercial Vehicle Registration.

5                   (a) Eligibility. A motor vehicle, other than a motorcycle or moped, designed or used primarily for  
6 the transportation of property, including any passenger car that has been reconstructed to be used, and  
7 is being used, primarily for delivery purposes, with the exception of a passenger car used in the delivery  
8 of the United States mail, must be registered as a commercial vehicle.

9                   (b) Commercial vehicle registration classifications.

10                   (1) Apportioned license plates. Apportioned license plates are issued in lieu of  
11 Combination, Motor Bus, or Truck license plates to Texas carriers who proportionally register their fleets  
12 in other states, in conformity with §217.56 of this title (relating to Registration Reciprocity Agreements).

13                   (2) City bus license plates. A street or suburban bus shall be registered with license plates  
14 bearing the legend "City Bus."

15                   (3) Combination license plates.

16                   (A) Specifications. A truck or truck-tractor with a gross weight in excess of 10,000  
17 pounds used or to be used in combination with a semitrailer having a gross weight in excess of 6,000  
18 pounds, may be registered with combination license plates. Such vehicles must be registered for a gross  
19 weight equal to the combined gross weight of all the vehicles in the combination, but not less than 18,000  
20 pounds. Only one combination license plate is required and must be displayed on the front of the truck  
21 or truck-tractor. When displaying a combination license plate, a truck or truck-tractor is not restricted to  
22 pulling a semitrailer licensed with a Token Trailer license plate and may legally pull semitrailers and full

1 trailers displaying other types of Texas license plates or license plates issued out of state. The following  
2 vehicles may not be registered in combination:

3 (i) trucks or truck-tractors having a gross weight of less than 10,000  
4 pounds or trucks or truck-tractors to be used exclusively in combination with semitrailers having gross  
5 weights not exceeding 6,000 pounds;

6 (ii) semitrailers with gross weights of 6,000 pounds or less, or semitrailers  
7 that are to be operated exclusively with trucks or truck-tractors having gross weight of less than 10,000  
8 pounds;

9 (iii) trucks or truck-tractors used exclusively in combination with  
10 semitrailer-type vehicles displaying Machinery, Permit, or Farm Trailer license plates;

11 (iv) trucks or truck-tractors used exclusively in combination with travel  
12 trailers and manufactured housing;

13 (v) trucks or truck-tractors to be registered with Farm Truck or Farm Truck  
14 Tractor license plates;

15 (vi) trucks or truck-tractors and semitrailers to be registered with disaster  
16 relief license plates;

17 (vii) trucks or truck-tractors and semitrailers to be registered with Soil  
18 Conservation license plates;

19 (viii) trucks or truck-tractors and semitrailers to be registered with U.S.  
20 Government license plates or Exempt license plates issued by the State of Texas; and

21 (ix) vehicles that are to be issued temporary permits, such as 72-Hour  
22 Permits, 144-Hour Permits, One Trip Permits, or 30-Day Permits in accordance with Transportation Code,  
23 §502.094 and §502.095.

1 (B) Converted semitrailers. Semitrailers that are converted to full trailers by  
2 means of auxiliary axle assemblies will retain their semitrailer status, and such semitrailers are subject to  
3 the combination and token trailer registration requirements.

4 (C) Axle assemblies. Various types of axle assemblies that are specially designed  
5 for use in conjunction with other vehicles or combinations of vehicles may be used to increase the load  
6 capabilities of such vehicles or combinations.

7 (i) Auxiliary axle assemblies such as trailer axle converters, jeep axles, and  
8 drag axles, which are used in conjunction with truck-tractor and semitrailer combinations, are not  
9 required to be registered; however, the additional weight that is acquired by the use of such axle  
10 assemblies must be included in the combined gross weight of the combination.

11 (ii) Ready-mixed concrete trucks that have an auxiliary axle assembly  
12 installed for the purpose of increasing a load capacity of such vehicles must be registered for a weight that  
13 includes the axle assembly.

14 (D) Exchange of Combination license plates. Combination license plates shall not  
15 be exchanged for another type of registration during the registration year, except that:

16 (i) if a major permanent reconstruction change occurs, Combination  
17 license plates may be exchanged for Truck license plates, provided that a corrected title is applied for;

18 (ii) if the department initially issues Combination license plates in error,  
19 the plates will be exchanged for license plates of the proper classification;

20 (iii) if the department initially issues Truck or Trailer license plates in error  
21 to vehicles that should have been registered in combination, such plates will be exchanged for  
22 Combination and Token Trailer license plates; or

1 (iv) if a Texas apportioned carrier acquires a combination license power  
2 unit, the Combination license plates will be exchanged for Apportioned license plates.

3 (4) Cotton Vehicle license plates. The department will issue Cotton Vehicle license plates  
4 in accordance with Transportation Code, §504.505 and §217.45 of this title (relating to Specialty License  
5 Plates, Symbols, Tabs, and Other Devices).

6 (5) Forestry Vehicle license plates. The department will issue Forestry Vehicle license  
7 plates in accordance with Transportation Code, §504.507 and §217.45 of this title.

8 (6) In Transit license plates. The department may issue an In Transit license plate annually  
9 to any person, firm, or corporation engaged in the primary business of transporting and delivering by  
10 means of the full mount, saddle mount, tow bar, or any other combination, new vehicles and other  
11 vehicles from the manufacturer or any other point of origin to any point of destination within the State.  
12 Each new vehicle being transported, delivered, or moved under its own power in accordance with this  
13 paragraph must display an In Transit license plate in accordance with Transportation Code, §503.035.

14 (7) Motor Bus license plates. A motor bus as well as a taxi and other vehicles that transport  
15 passengers for compensation or hire, must display Motor Bus license plates when operated outside the  
16 limits of a city or town, or adjacent suburb, in which its company is franchised to do business.

17 (8) Token Trailer license plates.

18 (A) Qualification. The department will issue Token Trailer license plates for  
19 semitrailers that are required to be registered in combination.

20 (B) Validity. A Token Trailer license plate is valid only when it is displayed on a  
21 semitrailer that is being pulled by a truck or a truck-tractor that has been properly registered with Forestry  
22 Vehicle (in accordance with Transportation Code, §504.507), Combination (in accordance with  
23 Transportation Code, §502.255), or Apportioned (in accordance with Transportation Code, §502.091)



1 license plates for combined gross weights that include the weight of the semitrailer, unless exempted by  
2 Transportation Code, §502.094 and §623.011.

3 (C) House-moving dollies. House-moving dollies are to be registered with Token  
4 Trailer license plates and titled as semitrailers; however, only one such dolly in a combination is required  
5 to be registered and titled. The remaining dolly (or dollies) is permitted to operate unregistered, since by  
6 the nature of its construction, it is dependent upon another such vehicle in order to function. The pulling  
7 unit must display a Combination or Apportioned license plate.

8 (D) Full trailers. The department will not issue a Token Trailer license plate for a  
9 full trailer.

10 (9) Tow Truck license plates. A Tow Truck license plate must be obtained for all tow trucks  
11 operating and registered in this state. The department will not issue a Tow Truck license plate unless the  
12 Texas Department of Licensing and Regulation has issued a permit for the tow truck under Occupations  
13 Code, Chapter 2308, Subchapter C.

14 (c) Application for commercial vehicle registration.

15 (1) Application form. An applicant shall apply for commercial license plates through the  
16 appropriate county tax assessor-collector upon forms prescribed by the director and shall require, at a  
17 minimum, the following information:

18 (A) owner name and complete address;

19 (B) complete description of vehicle, including empty weight; and

20 (C) vehicle identification number or serial number.

21 (2) Empty weight determination.

22 (A) The weight of a Motor Bus shall be the empty weight plus carrying capacity,  
23 in accordance with Transportation Code, §502.055.

1 (B) The weight of a vehicle cannot be lowered below the weight indicated on a  
2 Manufacturer's Certificate of Origin unless a corrected Manufacturer's Certificate of Origin is obtained.

3 (C) In all cases where the department questions the empty weight of a particular  
4 vehicle, the applicant should present a weight certificate from a public weight scale or the Department of  
5 Public Safety.

6 (3) Gross weight.

7 (A) Determination of Weight. The combined gross weight of vehicles registering  
8 for combination license plates shall be determined by the empty weight of the truck or truck-tractor  
9 combined with the empty weight of the heaviest semitrailer or semitrailers used or to be used in  
10 combination therewith, plus the heaviest net load to be carried on such combination during the motor  
11 vehicle registration year, provided that in no case may the combined gross weight be less than 18,000  
12 pounds.

13 (B) Restrictions. The following restrictions apply to combined gross weights.

14 (i) After a truck or truck-tractor is registered for a combined gross weight,  
15 such weight cannot be lowered at any subsequent date during the registration year. The owner may,  
16 however, lower the gross weight when registering the vehicle for the following registration year, provided  
17 that the registered combined gross weight is sufficient to cover the heaviest load to be transported during  
18 the year and provided that the combined gross weight is not less than 18,000 pounds.

19 (ii) A combination of vehicles is restricted to a total gross weight not to  
20 exceed 80,000 pounds; however, all combinations may not qualify for 80,000 pounds unless such weight  
21 can be properly distributed in accordance with axle load limitations, and distance between axles, in  
22 accordance with Transportation Code, §623.011.

1                   (4) Vehicle identification number or serial number. Ownership must be established by a  
2 court order if no vehicle identification number or serial number can be identified. Once ownership has  
3 been established, the department will assign a number upon payment of the fee.

4                   (5) Accompanying documentation. Unless otherwise exempted by law, completed  
5 applications for commercial license plates shall be accompanied by:

6                               (A) prescribed registration fees;

7                               (B) prescribed local fees or other fees that are collected in conjunction with  
8 registering a vehicle;

9                               (C) evidence of financial responsibility as required by Transportation Code,  
10 §502.046 if the applicant is a motor carrier as defined by §218.2 of this title (relating to Definitions), proof  
11 of financial responsibility may be in the form of a registration listing or an international stamp indicating  
12 that the vehicle is registered in compliance with Chapter 218, Subchapter B of this title (relating to Motor  
13 Carrier Registration);

14                               (D) an application for Texas Title in accordance with Subchapter A of this chapter,  
15 or other proof of ownership;

16                               (E) proof of payment of the Federal Heavy Vehicle Use Tax, if applicable;

17                               (F) an original or certified copy of the current permit issued in accordance with  
18 Occupations Code, Chapter 2308, Subchapter C, if application is being made for Tow Truck license plates;  
19 and

20                               (G) other documents or fees required by law.

21                   (6) Proof of payment required. Proof of payment of the Federal Heavy Vehicle Use Tax is  
22 required for vehicles with a gross registration weight of 55,000 pounds or more, or in cases where the  
23 vehicle's gross weight is voluntarily increased to 55,000 pounds or more. Proof of payment shall consist

1 of an original or photocopy of the Schedule 1 portion of Form 2290 received by the Internal Revenue  
2 Service (IRS), or a copy of the Form 2290 with Schedule 1 attached as filed with the IRS, along with a  
3 photocopy of the front and back of the canceled check covering the payment to the IRS.

4 (7) Proof of payment not required. Proof of payment of the Federal Heavy Vehicle Use  
5 Tax is not required:

6 (A) for new vehicles when an application for title and registration is supported by  
7 a Manufacturer's Certificate of Origin;

8 (B) on used vehicles when an application for title and registration is filed within  
9 60 days from the date of transfer to the applicant as reflected on the assigned title, except that proof of  
10 payment will be required when an application for Texas title and registration is accompanied by an out-  
11 of-state title that is recorded in the name of the applicant;

12 (C) when a vehicle was previously wrecked, in storage, or otherwise out of service  
13 and, therefore, not registered or operated during the current registration year or during the current tax  
14 year, provided that a non-use affidavit is signed by the operator; and

15 (D) as a prerequisite to registration of vehicles apprehended for operating  
16 without registration or reciprocity or when an owner or operator purchases temporary operating permits  
17 or additional weight.

18 (d) Renewal of commercial license plates.

19 (1) Registration period. The department will establish the registration period for  
20 commercial vehicles, unless specified by statute. Commercial license plates are issued for established  
21 annual registration periods as follows.

1 (A) March expiration. If a fleet under §217.54 of this title (relating to Registration  
2 of Fleet Vehicles) contains a vehicle with a combination license plate, the established annual registration  
3 period for the fleet is April 1st through March 31st.

4 (B) Five-year registration with March 31st expiration. The following license plates  
5 are available with a five-year registration period. Registration fees for the license plates listed below may  
6 be paid on an annual basis, or may be paid up front for the entire five-year period:

7 (i) Five-year Rental Trailer license plates issued for rental trailers that are  
8 part of a rental fleet; and

9 (ii) Five-year Token Trailer license plates, available to owners of  
10 semitrailers to be used in combination with truck-tractors displaying Apportioned or Combination license  
11 plates.

12 (2) Registration Renewal Notice. The department will send a registration renewal notice,  
13 indicating the proper registration fee and the month and year the registration expires, to each vehicle  
14 owner approximately six to eight weeks prior to the expiration of the vehicle's registration.

15 (3) Return of registration renewal notices. Except for authorized online renewals,  
16 registration renewal notices should be returned by the vehicle owner to the department or the  
17 appropriate county tax assessor-collector, as indicated on the registration renewal notice. Unless  
18 otherwise exempted by law, registration renewal notices may be returned either in person or by mail, and  
19 shall be accompanied by:

20 (A) statutorily prescribed registration renewal fees;

21 (B) prescribed local fees or other fees that are collected in conjunction with  
22 registration renewal;

1 (C) evidence of financial responsibility as required by Transportation Code,  
2 §502.046; and

3 (D) other prescribed documents or fees.

4 (4) Lost or destroyed registration renewal notice. If a registration renewal notice is lost,  
5 destroyed, or not received by the vehicle owner, the vehicle may be registered if the owner presents  
6 personal identification acceptable to the county tax assessor-collector. Failure to receive the notice does  
7 not relieve the owner of the responsibility to renew the vehicle's registration.

8 (e) Transfer of commercial vehicle license plates.

9 (1) Transfer between persons. With the exceptions noted in paragraph (3) of this  
10 subsection, when ownership of a vehicle displaying commercial vehicle license plates is transferred,  
11 application for transfer of such license plates shall be made with the county tax assessor-collector in the  
12 county in which the purchaser resides or a county tax assessor-collector who is willing to accept the  
13 application. If the purchaser does not intend to use the vehicle in a manner that would qualify it for the  
14 license plates issued to that vehicle, such plates must be exchanged for the appropriate license plates.

15 (2) Transfer between vehicles. Commercial vehicle license plates are non-transferable  
16 between vehicles.

17 (3) Transfer of Apportioned and Tow Truck license plates. Apportioned and Tow Truck  
18 license plates are non-transferable between persons or vehicles, and become void if the vehicle to which  
19 the license plates were issued is sold.

20 (f) Replacement of lost, stolen, or mutilated commercial vehicle license plates. An owner of lost,  
21 stolen, or mutilated commercial vehicle license plates may obtain replacement license plates by filing an  
22 Application for Replacement Plates and remitting the prescribed fee to the county tax assessor-collector  
23 or from the department.

1

2

**SUBCHAPTER D. NONREPAIRABLE AND SALVAGE MOTOR VEHICLES**

3

**43 TAC §217.89**

4

5 §217.89. Rebuilt Salvage Motor Vehicles.

6 (a) Filing for title. When a salvage motor vehicle or a non-repairable motor vehicle for which a

7 non-repairable vehicle title was issued prior to September 1, 2003, has been rebuilt, the owner shall file

8 a certificate of title application, as described in §217.4 of this title (relating to Initial Application for Title),

9 for a rebuilt salvage certificate of title.

10 (b) Place of application. An application for a rebuilt salvage certificate of title shall be filed with

11 the county tax assessor-collector in the county in which the applicant resides, in the county in which the

12 motor vehicle was purchased or is encumbered, or to any county tax assessor-collector who is willing to

13 accept the application.

14 (c) Fee for rebuilt salvage certificate of title. In addition to the statutory fee for a title application

15 and any other applicable fees, a \$65 rebuilt salvage fee must accompany the application.

16 (d) Accompanying documentation. The application for a certificate of title for a rebuilt non-

17 repairable or salvage motor vehicle must be supported, at a minimum, by the following documents:

18 (1) evidence of ownership, properly assigned to the applicant, as described in subsection

19 (e) of this section;

20 (2) a rebuilt statement, on a form prescribed by the department that includes:

21 (A) a description of the motor vehicle, which includes the motor vehicle's model

22 year, make, model, identification number, and body style;

23 (B) an explanation of the repairs or alterations made to the motor vehicle;

1 (C) a description of each major component part used to repair the motor vehicle  
2 and showing the identification number required by federal law to be affixed to or inscribed on the part;

3 (D) the name of the owner and the name and address of the rebuilder;

4 (E) a statement by the owner that the owner is the legal and rightful owner of the  
5 vehicle, the vehicle is rebuilt, repaired, reconstructed, or assembled and that the vehicle identification  
6 number disclosed on the rebuilt affidavit is the same as the vehicle identification number affixed to the  
7 vehicle;

8 (F) the signature of the owner, or the owner's authorized agent; and

9 (G) a statement by the rebuilder that the vehicle has been rebuilt, repaired, or  
10 reconstructed by the rebuilder and that all component parts used were obtained in a legal and lawful  
11 manner, signed by the rebuilder or the rebuilder's authorized agent or employee;

12 (3) evidence of inspection submitted by the person who repairs, rebuilds, or reconstructs  
13 a non-repairable or salvage motor vehicle in the form of disclosure on the rebuilt statement of the vehicle  
14 inspection report authorization or certificate number, and the date of inspection, issued by an authorized  
15 state safety inspection station after the motor vehicle was rebuilt, if the motor vehicle will be registered  
16 at the time of application;

17 (4) an odometer disclosure statement properly executed by the seller of the motor vehicle  
18 and acknowledged by the purchaser, if applicable;

19 (5) proof of financial responsibility in the title applicant's name, as required by  
20 Transportation Code §502.046, unless otherwise exempted by law;

21 (6) a vehicle inspection report required by Transportation Code, §548.256, and  
22 Transportation Code, §501.030, if the motor vehicle was last titled and registered in another state or  
23 country, unless otherwise exempted by law; and



1 (7) a release of any liens, unless there is no transfer of ownership and the same lienholder  
2 is being recorded as is recorded on the surrendered evidence of ownership.

3 (e) Evidence of ownership of a rebuilt salvage motor vehicle:

4 (1) may include:

5 (A) a Texas Salvage Vehicle Title;

6 (B) a Texas Non-repairable Certificate of Title issued prior to September 1, 2003;

7 (C) a Texas Salvage Certificate; or

8 (D) a comparable salvage certificate or salvage certificate of title issued by  
9 another jurisdiction, except that this ownership document will not be accepted if it indicates that the  
10 motor vehicle may not be rebuilt in the jurisdiction that issued the ownership document; but

11 (2) may not include:

12 (A) a Texas non-repairable vehicle title issued on or after September 1, 2003;

13 (B) an out-of-state ownership document that indicates that the motor vehicle is  
14 non-repairable, junked, for parts or dismantling only, or the motor vehicle may not be rebuilt in the  
15 jurisdiction that issued the ownership document; or

16 (C) a certificate of authority to dispose of a motor vehicle issued in accordance  
17 with Transportation Code, Chapter 683.

18 (f) Rebuilt salvage certificate of title issuance. Upon receiving a completed certificate of title  
19 application for a rebuilt salvage motor vehicle, along with the applicable fees and required  
20 documentation, the transaction will be processed and a rebuilt salvage certificate of title will be issued.  
21 The certificate of title will include a "Rebuilt Salvage" notation and a description or disclosure of the motor  
22 vehicle's former condition on its face.

1 (g) Issuance of rebuilt salvage certificate of title to a motor vehicle from another jurisdiction. On  
2 proper application, as prescribed by §217.4, by the owner of a motor vehicle that is brought into this state  
3 from another jurisdiction and for which a certificate of title issued by the other jurisdiction contains a  
4 "Rebuilt," "Salvage," or analogous title remark, the department will issue the applicant a certificate of title  
5 or other appropriate document for the motor vehicle. A certificate of title or other appropriate document  
6 issued under this subsection will show on its face:

7 (1) the date of issuance;

8 (2) the name and address of the owner;

9 (3) any registration number assigned to the motor vehicle;

10 (4) a description of the motor vehicle as determined by the department; and

11 (5) any title remark the department considers necessary or appropriate.

12 **CERTIFICATION.** The department certifies that legal counsel has reviewed the adoption and found it to be  
13 a valid exercise of the agency's legal authority.

14 Issued at Austin, Texas, on February 25, 2022.

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/s/Aline Aucoin  
**Aline Aucoin, Acting General Counsel**