



# Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN, TEXAS 78779-0001 • (512) 465-7611

October 18, 2001

## Registration and Title Bulletin # 144-01

**TO:** All County Tax Assessor-Collectors

**SUBJECT:** Texas Vehicle Emissions, HB 2134, 77<sup>th</sup> Legislative Session

### PURPOSE

To provide additional information concerning the "emissions test on resale" requirement as provided by HB 2134, 77<sup>th</sup> Legislative Session.

### BACKGROUND

Registration and Title Bulletin 099-01, dated July 30, 2001 provided information that a vehicle, subject to the test on resale provisions of HB 2134, is not eligible for a title receipt, a certificate of title, or registration in a county with a motor vehicle emissions inspection and maintenance program unless proof is presented that the vehicle has passed an approved vehicle emissions test in the county in which it is to be titled or registered.

### DETAILS

HB 2134 requires emissions testing on resale on a vehicle for which the most recent certificate of title or registration was issued in a county without a motor vehicle emissions (I/M) program and the ownership has changed to a county with an I/M program. This legislation only applies to gasoline powered vehicles, 2-24 years old, which are subject to a retail sale.

- HB 2134 pertains to non-attainment (affected) counties for test on resale.
- Affected counties are those counties that are currently a part of the inspection/maintenance (I/M) program.
- Current affected counties are Harris, El Paso, Dallas, and Tarrant.
- If a vehicle is sold in an affected county and was last titled or registered in an unaffected county, the vehicle must be emissions tested if the vehicle is to be titled and registered in the affected county.
- If a vehicle is previously owned in a non-affected (attainment) county and is going to be registered or titled in an affected county as a result of a retail sale, the vehicle must be emissions tested.
- Owners of vehicles who are moving from a non-affected county to an affected county are not required to show proof of testing to register or title their vehicle.

### CRITERIA

- The vehicle must be gasoline powered and 2-24 years old.
- The emissions test must be performed no earlier than the 90<sup>th</sup> day before the date on which the title application is filed.
- The Tax Assessor-Collector must view and verify that the Texas Vehicle Inspection Report (VIR) was issued within the past 90 days (Example "A"). The VIR is not required to be submitted with the title evidence to the Vehicle Titles and Registration Division (VTR).

**TRANSACTIONS NOT REQUIRED TO HAVE EMISSIONS TESTING**

- "Title Only" transactions are not required to have the emissions test on resale. Such vehicles must have option four checked on a Texas Department of Public Safety Affidavit, VIE-12 (Example "B").
- Transactions supported by out-of-state evidence are not applicable. The vehicle must be last titled or registered in Texas.
- Transactions dated before September 1, 2001 are not applicable if the assignment or reassignment on the back of the title and the Form 130-U are dated before September 1, 2001.

**EXEMPTIONS**


- Vehicles with year models 1996 or newer with fewer than 50,000 miles are exempt.
- Vehicles used in the affected county of registration for fewer than 60 days are exempt. Such vehicles must have options one or two checked on the Texas Department of Public Safety Affidavit, VIE-12 (Example "B").
- Military tactical vehicles, motorcycles, diesel-powered vehicles, dual-fueled vehicles that cannot operate using gasoline, and antique vehicles are exempt.

**CONTACT(S)**

If you have any questions or need additional information, please contact your local VTR Regional Office. You may also contact me or Mr. Darrel Hunt, Deputy Director, at 512/465-7570. Thank you very much.

Sincerely,



 Jerry L. Dike, Director  
Vehicle Titles and  
Registration Division

JLD:jg

Attachments

cc: Law Enforcement  
Texas Department of Public Safety  
Dealer Associations  
Insurance Partners  
Texas Natural Resource Conservation Commission  
VTR Administration