

By: Howard of Fort Bend

H.B. No. 2412

Substitute the following for H.B. No. 2412:

By: Pickett

C.S.H.B. No. 2412

A BILL TO BE ENTITLED

AN ACT

relating to the registration and compulsory inspection of certain street rods and custom vehicles.

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

SECTION 1. Subchapter B, Chapter 501, Transportation Code, is amended by adding Section 501.038 to read as follows:

Sec. 501.038. CERTIFICATE OF TITLE FOR CUSTOM VEHICLE OR STREET ROD. (a) In this section, "custom vehicle" and "street rod" have the meanings assigned by Section 504.502.

(b) Notwithstanding any other provision of this chapter, if the department issues a certificate of title for a custom vehicle or street rod, the model year of the vehicle must be listed on the certificate of title and must be the model year that the body of the vehicle resembles. The certificate of title must also include the word "replica."

(c) The owner of the custom vehicle or street rod shall provide the department with documentation identifying the model year that the body of the vehicle resembles.

SECTION 2. Section 504.502, Transportation Code, is amended by amending Subsections (a), (b), and (i) and adding Subsection (f-1) and (f-2) to read as follows:

(a) The department shall issue specialty license plates for a passenger car, truck, motorcycle, or former military vehicle that:

1           (1) is at least 25 years old, if the vehicle is a  
2 passenger car, truck, or motorcycle or is a street rod or custom  
3 vehicle;

4           (2) is a collector's item;

5           (3) is used exclusively for exhibitions, club  
6 activities, parades, and other functions of public interest and is  
7 not used for regular transportation; and

8           (4) does not carry advertising.

9           (b) The license plates must include the words "Antique  
10 Auto," "Antique Truck," "Antique Motorcycle," "Street Rod,"  
11 "Custom Vehicle," or "Military Vehicle," as appropriate.

12           (f-1) Notwithstanding Chapter 547, a custom vehicle or  
13 street rod eligible to receive license plates under this section is  
14 not required to be equipped with a specific piece of equipment  
15 unless the specific piece of equipment was required by statute as a  
16 condition of sale during the year listed as the model year on the  
17 certificate of title.

18           (f-2) Upon initial registration of a custom vehicle or  
19 street rod, the owner must provide proof, acceptable to the  
20 Department, that the custom vehicle or street rod passed a safety  
21 inspection that has been approved by the Department. The department  
22 shall create a safety inspection process for inspecting replica  
23 custom vehicles or street rods.

24           (i) In this section:

25           (1) "Custom vehicle" means a vehicle:

26           (A) that is:

27           (i) at least 25 years old and of a model

1 year after 1948; or

2 (ii) manufactured to resemble a vehicle  
3 that is at least 25 years old and of a model year after 1948; and

4 (B) that:

5 (i) has been altered from the  
6 manufacturer's original design; or

7 (ii) has a body constructed from materials  
8 not original to the vehicle.

9 (2) "Former [~~,"~~ "former] military vehicle" means a  
10 vehicle, including a trailer, regardless of the vehicle's size,  
11 weight, or year of manufacture, that:

12 (A) [~~(1)~~] was manufactured for use in any  
13 country's military forces; and

14 (B) [~~(2)~~] is maintained to represent its  
15 military design and markings accurately.

16 (3) "Street rod" means a vehicle:

17 (A) that was manufactured:

18 (i) before 1949; or

19 (ii) after 1948 to resemble a vehicle  
20 manufactured before 1949; and

21 (B) that:

22 (i) has been altered from the  
23 manufacturer's original design; or

24 (ii) has a body constructed from materials  
25 not original to the vehicle.

26 SECTION 3. Section 548.052, Transportation Code, is amended  
27 to read as follows:

1           Sec. 548.052. VEHICLES NOT SUBJECT TO INSPECTION. This  
2 chapter does not apply to:

3           (1) a trailer, semitrailer, pole trailer, or mobile  
4 home moving under or bearing a current factory-delivery license  
5 plate or current in-transit license plate;

6           (2) a vehicle moving under or bearing a paper dealer  
7 in-transit tag, machinery license, disaster license, parade  
8 license, prorated tab, one-trip permit, antique license, custom  
9 vehicle license, street rod license, temporary 24-hour permit, or  
10 permit license;

11           (3) a trailer, semitrailer, pole trailer, or mobile  
12 home having an actual gross weight or registered gross weight of  
13 4,500 pounds or less;

14           (4) farm machinery, road-building equipment, a farm  
15 trailer, or a vehicle required to display a slow-moving-vehicle  
16 emblem under Section 547.703;

17           (5) a former military vehicle, as defined by Section  
18 504.502(i) [~~502.275~~];

19           (6) a vehicle qualified for a tax exemption under  
20 Section 152.092, Tax Code; or

21           (7) a vehicle for which a certificate of title has been  
22 issued but that is not required to be registered.

23           SECTION 4. Section 504.502, Transportation Code, as amended  
24 by this Act, applies only to a registration period beginning on or  
25 after the effective date of this Act.

26           SECTION 5. This Act takes effect September 1, 2009.