

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

Page 1 of 1

ALL Districts

The Texas Transportation Commission (commission) finds it necessary to propose amendments to §17.21, Definitions, and §17.23, Temporary Registration Permits, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the proposed amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the General Counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

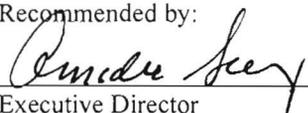
IT IS THEREFORE ORDERED by the commission that the amendments to §17.21 and §17.23 are proposed for adoption and are authorized for publication in the *Texas Register* for the purpose of receiving public comments.

The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:

  
\_\_\_\_\_  
Director, Vehicle Titles and Registration

Recommended by:

  
\_\_\_\_\_  
Executive Director

**111849 JUN 25 09**

Minute Number      Date Passed

1 Proposed Preamble

2 The Texas Department of Transportation (department) proposes  
3 amendments to §17.21, Definitions, and §17.23, Temporary  
4 Registration Permits, both concerning motor vehicle  
5 registration.

6

7 EXPLANATION OF PROPOSED AMENDMENTS

8 Transportation Code, §648.001 and §648.101, as amended by House  
9 Bill 782, 81<sup>st</sup> Legislature, 2009, adds the definition of "foreign  
10 commercial motor vehicle" and exempts registration for certain  
11 foreign commercial motor vehicles in border commercial zones.

12

13 Amendments to §17.21, Definitions, add the definition of  
14 "foreign commercial vehicles" to specify that the vehicle must  
15 be owned by a person domiciled in or who is a citizen of another  
16 country. The former statutory definition had included a motor  
17 vehicle controlled by a person who is domiciled or who is a  
18 citizen of a foreign country.

19

20 Amendments to §17.23, Temporary Registration Permits, implement  
21 amendments to Transportation Code, §648.101, made by House Bill  
22 782, to clarify that a vehicle must display a valid Texas  
23 registration if the vehicle is owned by a person who owns a  
24 leasing facility or leasing terminal in Texas and leases the  
25 vehicle to a foreign motor carrier. The amendments exempt a

1 foreign commercial motor vehicle from registration provided a  
2 valid reciprocity agreement between Texas and another state of  
3 the United States or a Canadian province that exempts currently  
4 registered vehicles owned by nonresidents in a border commercial  
5 zone exists.

6

7 FISCAL NOTE

8 James Bass, Chief Financial Officer, has determined that for  
9 each of the first five years the amendments as proposed are in  
10 effect, there will be fiscal implications for state or local  
11 governments as a result of enforcing or administering the  
12 amendments. An estimated 9,000 Texas-owned trailers are  
13 currently operating in the border commercial zone without Texas  
14 plates. The registration and titling of these vehicles could  
15 generate an additional \$500,000 annually to be distributed  
16 between the state and the counties.

17

18 Rebecca Davio, Director, Vehicle Titles and Registration, has  
19 certified that there will be no significant impact on local  
20 economies or overall employment as a result of enforcing or  
21 administering the amendments.

22

23 PUBLIC BENEFIT AND COST

24 Ms. Davio has also determined that for each year of the first  
25 five years the sections are in effect, the public benefit

1 anticipated as a result of enforcing or administering the  
2 amendments will be the registration and titling of trailers in  
3 Texas. There are anticipated economic costs for persons  
4 required to comply with the sections as proposed of \$15 for the  
5 token trailer fee, \$0.30 for the reflectorization fee, and local  
6 fees such as the county road and bridge fee. Title application  
7 fees will be \$33 per trailer, with a \$28/\$5 distribution between  
8 the state and county for each trailer title.

9  
10 Government Code, §2006.002, Adoption of Rules with Adverse  
11 Economic Effect, requires that before adopting a rule that may  
12 have an adverse economic effect on small businesses, a state  
13 agency must prepare an economic impact statement and a  
14 regulatory flexibility analysis unless the rule is adopted to  
15 comply with legislatively mandated language. Government Code,  
16 §2006.002, also requires that agencies prepare a regulatory  
17 flexibility analysis to analyze alternatives to the proposed  
18 rule unless the rule is adopted to comply with a legislative  
19 mandate. The title and registration of trailers is mandated by  
20 House Bill 782, 2009.

21  
22 SUBMITTAL OF COMMENTS  
23 Written comments on the proposed amendments to §17.21 and §17.23  
24 may be submitted to Rebecca Davio, Director, Vehicle Titles and  
25 Registration,, Texas Department of Transportation, 125 East 11th

1 Street, Austin, Texas 78701-2483. The deadline for receipt of  
2 comments is 5:00 p.m. on August 10, 2009.

3

4 STATUTORY AUTHORITY

5 The amendments are proposed under Transportation Code, §201.101,  
6 which provides the Texas Transportation Commission with the  
7 authority to establish rules for the conduct of the work of the  
8 department, and more specifically, Transportation Code,  
9 §648.001.

10

11 CROSS REFERENCE TO STATUTE

12 Transportation Code, §648.001 and Transportation Code, §648.101.

1 SUBCHAPTER B. MOTOR VEHICLE REGISTRATION

2 §17.21. Definitions. The following words and terms, when used  
3 in this subchapter, shall have the following meanings, unless  
4 the context clearly indicates otherwise.

5 (1) Affidavit for alias exempt registration--A form  
6 prescribed by the director that must be executed by an exempt  
7 law enforcement agency to request the issuance of exempt  
8 registration in the name of an alias.

9 (2) Agent--A duly authorized representative possessing  
10 legal capacity to act for an individual or legal entity.

11 (3) Alias--The name of a vehicle registrant reflected on  
12 the registration, different than the name of the legal owner of  
13 the vehicle.

14 (4) Alias exempt registration--Registration issued under  
15 an alias to a specific vehicle to be used in covert criminal  
16 investigations by a law enforcement agency.

17 (5) Apportioned license plate--A license plate issued in  
18 lieu of a truck license plate or combination license plate to a  
19 motor carrier in this state who proportionally registers a  
20 vehicle owned by the carrier in one or more other states.

21 (6) Axle load--The total load transmitted to the road by  
22 all wheels whose centers may be included between two parallel  
23 transverse vertical planes 40 inches apart, extending across the

1 full width of the vehicle.

2 (7) Border commercial zone--A commercial zone established  
3 under Title 49, C.F.R., Part 372 that is contiguous to the  
4 border with Mexico.

5 (8) Carrying capacity--The maximum safe load that a  
6 commercial vehicle may carry, in tons, as determined by the  
7 manufacturer.

8 (9) Character--A numeric or alpha symbol displayed on a  
9 license plate.

10 (10) Combination license plate--A license plate issued  
11 for a truck or truck tractor that has a manufacturer's rated  
12 carrying capacity of more than one ton and is used or intended  
13 to be used in combination with a semitrailer that has a gross  
14 weight of more than 6,000 pounds.

15 (11) Commercial vehicle--Any vehicle (other than a  
16 motorcycle or passenger car) designed or used primarily for the  
17 transportation of property, including any passenger car that has  
18 been reconstructed so as to be used, and that is being used,  
19 primarily for delivery purposes, with the exception of passenger  
20 cars used in the delivery of the United States mail.

21 (12) Conventional vehicle--A regular truck or regular  
22 trailer that is eligible only for regular registration and that  
23 is primarily designed to transport divisible loads, regardless

1 of the vehicle's present use. Vehicles that have been altered  
2 or reconstructed, or on which machinery has been mounted or  
3 attached, permanently or otherwise, retain their conventional  
4 status.

5 (13) Cotton vehicle--A vehicle that is used only to  
6 transport chili pepper modules, seed cotton, cotton, cotton  
7 burrs, or equipment used in transporting or processing chili  
8 peppers or cotton that is not more than 10 feet in width.

9 (14) County or city civil defense agency--An agency  
10 authorized by a commissioner's court order or by a city  
11 ordinance to provide protective measures and emergency relief  
12 activities in the event of hostile attack, sabotage, or natural  
13 disaster.

14 (15) Department--The Texas Department of Transportation.

15 (16) Director--The director of the Vehicle Titles and  
16 Registration Division, Texas Department of Transportation.

17 (17) Disabled person--A person who has mobility problems  
18 that substantially impair the person's ability to ambulate or  
19 who is legally blind.

20 (18) Electric bicycle--A device that has two tandem  
21 wheels and is designed to be propelled by an electric motor. An  
22 electric bicycle cannot attain a speed of more than 20 miles per  
23 hour without the application of human power and weighs 100

1 pounds or less.

2 (19) Escrow account--A deposit of a specific amount of  
3 money held by the department for security.

4 (20) Evidence of financial responsibility--The original  
5 document or photocopy of any one of the following items:

6 (A) a liability insurance policy or liability self-  
7 insurance or pool coverage document issued in at least the  
8 minimum amount required by law;

9 (B) a personal automobile insurance policy used as  
10 evidence of financial responsibility, written for at least the  
11 term required by the Insurance Code, Article 5.06;

12 (C) a standard proof of liability form issued by a  
13 liability insurer;

14 (D) an insurance binder that confirms that the owner is  
15 in compliance with the law;

16 (E) a certificate issued by the Texas Department of  
17 Public Safety that shows the vehicle is covered by self-  
18 insurance;

19 (F) a certificate issued by the state treasurer that  
20 shows that the owner has money or securities in an amount not  
21 less than \$55,000 on deposit with the state treasurer;

22 (G) a certificate issued by the Texas Department of  
23 Public Safety that shows that the vehicle has a bond on file

1 with that department, that the bond is in the form and amount  
2 required by law, and that the bond is guaranteed by at least two  
3 individual sureties each owning real estate within this state;

4 (H) a certificate issued by the county judge in the  
5 county where the owner resides showing that the owner has cash  
6 or a cashier's check in an amount not less than \$55,000 on  
7 deposit with the county judge.

8 (21) Executive administrator--The director of a federal  
9 agency, the director of a Texas state agency, the sheriff of a  
10 Texas county, or the chief of police of a Texas city that by law  
11 possesses the authority to conduct covert criminal  
12 investigations.

13 (22) Exempt agency--A governmental body exempted by  
14 statute from paying registration fees when registering motor  
15 vehicles.

16 (23) Exempt license plates--Specially designated license  
17 plates issued to certain vehicles owned or controlled by exempt  
18 agencies.

19 (24) Exhibition vehicle --

20 (A) An assembled complete passenger car, truck, or  
21 motorcycle that:

22 (i) is a collector's item;

23 (ii) is used exclusively for exhibitions, club

1 activities, parades, and other functions of public interest;

2 (iii) does not carry advertising; and

3 (iv) has a frame, body, and motor that is at least 25  
4 years old; or

5 (B) A Former Military Vehicle as defined in  
6 Transportation Code, §504.502.

7 (25) Fire fighting equipment--Equipment mounted on fire  
8 fighting vehicles used in the process of fighting fires,  
9 including, but not limited to, ladders and hoses.

10 (26) Foreign commercial motor vehicle--A commercial motor  
11 vehicle, as defined by 49 C.F.R. §390.5, that is owned by a  
12 person or entity that is domiciled in or a citizen of a country  
13 other than the United States.

14 (27) Gross weight--The sum of the empty weight of a  
15 commercial vehicle (or vehicles, if operated in combination),  
16 combined with its maximum carrying capacity, rounded up to the  
17 next 100 pounds.

18 (28) [~~+27~~] Highway construction project--That section of  
19 the highway between the warning signs giving notice of a  
20 construction area.

21 (29) [~~+28~~] International symbol of access--The symbol  
22 adopted by Rehabilitation International in 1969 at its Eleventh  
23 World Congress of Rehabilitation of the Disabled.

1           (30) [~~+29~~] Legally blind--Having not more than 20/200  
2 visual acuity in the better eye with correcting lenses, or  
3 visual acuity greater than 20/200 but with a limitation in the  
4 field of vision such that the widest diameter of the visual  
5 field subtends an angle no greater than 20 degrees.

6           (31) [~~+30~~] Light truck--As defined in Transportation  
7 Code, §541.201, any truck with a manufacturer's rated carrying  
8 capacity not to exceed two thousand pounds, including those  
9 trucks commonly known as pickup trucks, panel delivery trucks,  
10 and carryall trucks.       (31) Make--The trade name of the  
11 vehicle manufacturer.

12           (33) [~~+32~~] Motor bus--A motor-propelled vehicle used to  
13 transport persons on public highways for compensation, other  
14 than a street or suburban bus.

15           (34) [~~+33~~] Motorized mobility device--A device designed  
16 for transportation of persons with physical disabilities that:

17           (A) has three or more wheels;

18           (B) is propelled by a battery-powered motor;

19           (C) has not more than one forward gear; and

20           (D) is not capable of speeds exceeding eight miles per  
21 hour.

22           (35) [~~+34~~] Net carrying capacity--150 pounds multiplied  
23 by the seating capacity as determined by the manufacturer's

1 rated seating capacity, exclusive of the driver's or operator's  
2 seat, or in the case of a vehicle that is not rated by the  
3 manufacturer, as determined by an allowance of one passenger for  
4 each sixteen inches, exclusive of the driver's or operator's  
5 seat.

6 (36) [~~35~~] Nonprofit organization--An unincorporated  
7 association or society or a corporation that is incorporated or  
8 holds a certificate of authority under the Business  
9 Organizations Code.

10 (37) [~~36~~] Owner--A person who holds the legal title to  
11 a vehicle, has the legal right to possess a vehicle, or has the  
12 legal right to control a vehicle.

13 (38) [~~37~~] Passenger car--In accordance with  
14 Transportation Code, §502.001, any motor vehicle other than a  
15 motorcycle, golf cart, or a bus, designed or used primarily for  
16 the transportation of persons.

17 (39) [~~38~~] Political subdivision--A county,  
18 municipality, local board, or other body of this state having  
19 authority to provide a public service.

20 (40) [~~39~~] Registration period--A designated period  
21 during which registration is valid. A registration period  
22 always begins on the first day of a calendar month and ends on  
23 the last day of a calendar month.

1           (41) [~~40~~] Rental fleet--A fleet of five or more  
2 vehicles that are owned by the same owner, offered for rent or  
3 rented without drivers, and designated by the owner in the  
4 manner prescribed by the department as a rental fleet.

5           (42) [~~41~~] Rental trailer--A utility trailer that has a  
6 gross weight of 4,000 pounds or less and is part of a rental  
7 fleet.

8           (43) [~~42~~] Road tractor--A vehicle designed for the  
9 purpose of mowing the right of way of a public highway or a  
10 motor vehicle designed or used for drawing another vehicle or a  
11 load and not constructed to carry:

12           (A) an independent load; or

13           (B) a part of the weight of the vehicle and load to be  
14 drawn.

15           (44) [~~43~~] Service agreement--A contractual agreement  
16 that allows individuals or businesses to access the department's  
17 vehicle registration records.

18           (45) [~~44~~] Specialty license plate--A special design  
19 license plate issued by the department under statutory  
20 authority.

21           (46) [~~45~~] Specialty license plate fee--Statutorily or  
22 department required fee payable on submission of an application  
23 for a specialty license plate, symbol, tab, or other device, and

1 collected in addition to statutory motor vehicle registration  
2 fees.

3 (47) [~~46~~] Special district--A political subdivision of  
4 the state established to provide a single public service within  
5 a specific geographical area.

6 (48) [~~47~~] Sponsoring entity--An institution, college,  
7 university, sports team, or any other individual or group that  
8 desires to support a particular specialty license plate by  
9 coordinating the collection and submission of the prescribed  
10 applications and associated license plate fees or deposits for  
11 that particular license plate.

12 (49) [~~48~~] Street or suburban bus--A vehicle, other than  
13 a passenger car, used to transport persons for compensation  
14 exclusively within the limits of a municipality or a suburban  
15 addition to a municipality.

16 (50) [~~49~~] Tandem axle group--Two or more axles spaced  
17 40 inches or more apart from center to center having at least  
18 one common point of weight suspension.

19 (51) [~~50~~] Token trailer--:

20 (A) A semitrailer that has a gross weight of more than  
21 6,000 pounds and is operated in combination with a truck; or

22 (B) a truck tractor that has been issued an apportioned  
23 license plate, a combination license plate, or a forestry

1 vehicle license plate.

2           (52) [~~51~~] Tow truck--A motor vehicle equipped with a  
3 mechanical device adapted or used to tow, winch, or otherwise  
4 move another motor vehicle.

5           (53) [~~51~~] Travel trailer--A house trailer-type vehicle  
6 or a camper trailer that is less than eight feet in width or 40  
7 feet in length, exclusive of any hitch installed on the vehicle,  
8 and is designed primarily for use as temporary living quarters  
9 in connection with recreational, camping, travel, or seasonal  
10 use and not as a permanent dwelling.

11           (53) [~~52~~] Unconventional vehicle--A vehicle built  
12 entirely as machinery from the ground up, that is permanently  
13 designed to perform a specific function, and is not designed to  
14 transport property.

15           (54) [~~53~~] Vehicle--A device in or by which a person or  
16 property is or may be transported or drawn on a public highway,  
17 other than a device used exclusively on stationary rails or  
18 tracks.

19           (55) [~~54~~] Vehicle classification--The grouping of  
20 vehicles in categories for the purpose of registration, based on  
21 design, carrying capacity, or use.

22           (56) [~~55~~] Vehicle description--Information regarding a  
23 specific vehicle, including, but not limited to, the vehicle

1 make, model year, body style, and vehicle identification number.

2 (57) [~~506~~] Vehicle identification number--A number  
3 assigned by the manufacturer of a motor vehicle or the  
4 department that describes the motor vehicle for purposes of  
5 identification.

6 (59) [~~58~~] Vehicle inspection sticker--A sticker issued  
7 by the Texas Department of Public Safety signifying that a  
8 vehicle has passed all applicable safety and emissions tests.

9 (60) [~~59~~] Vehicle registration insignia--A license  
10 plate, symbol, tab, or other device issued by the department  
11 evidencing that all applicable fees have been paid for the  
12 current registration period and allowing the vehicle to be  
13 operated on the public highways.

14 (61) [~~60~~] Vehicle registration record--Information  
15 contained in the department's files that reflects, but is not  
16 limited to, the make, vehicle identification number, model year,  
17 body style, license number, and the name of the registered  
18 owner.

19 (62) [~~61~~] Volunteer fire department--An association  
20 that is organized for the purpose of answering fire alarms,  
21 extinguishing fires, and providing emergency medical services.

22

23 §17.23. Temporary Registration Permits.

1           (a) Purpose and scope. Transportation Code, Chapter 502,  
2 Subchapter G, charges the department with the responsibility of  
3 issuing temporary registration permits which shall be recognized  
4 as legal registration for the movement of motor vehicles not  
5 authorized to travel on Texas public highways for lack of  
6 registration or for lack of reciprocity with the state or  
7 country in which the vehicles are registered. In order for the  
8 department to efficiently and effectively perform these duties,  
9 this section prescribes the policies and procedures for the  
10 application and the issuance of temporary registration permits.

11           (b) Permit categories. The department will issue the  
12 following categories of temporary registration permits.

13           (1) Additional weight permits. The owner of a truck,  
14 truck tractor, trailer, or semitrailer may purchase temporary  
15 additional weight permits for the purpose of transporting the  
16 owner's own seasonal agricultural products to market or other  
17 points for sale or processing in accordance with Transportation  
18 Code, §502.351. In addition, such vehicles may be used for the  
19 transportation without charge of seasonal laborers from their  
20 place of residence, and materials, tools, equipment, and  
21 supplies from the place of purchase or storage, to a farm or  
22 ranch exclusively for use on such farm or ranch.

23           (A) Additional weight permits are valid for a limited

1 period of less than one year.

2 (B) An additional weight permit will not be issued for  
3 a period of less than one month or extend beyond the expiration  
4 of a license plate issued under Transportation Code, Chapter  
5 502.

6 (C) The statutory fee for an additional weight permit  
7 is based on a percentage of the difference between the owner's  
8 regular annual registration fee and the annual fee for the  
9 desired tonnage computed as follows:

10 (i) one-month (or 30 consecutive days)--10%

11 (ii) one-quarter (three consecutive months)--30%

12 (iii) two-quarters (six consecutive months)--60%

13 (iv) three-quarters (nine consecutive months)--90%

14 (D) Additional weight permits are issued for calendar  
15 quarters with the first quarter to begin on April 1st of each  
16 year.

17 (E) A permit will not be issued unless the registration  
18 fee for hauling the larger tonnage has been paid prior to the  
19 actual hauling.

20 (F) Additional weight permits may not be issued to farm  
21 licensed trailers or semitrailers.

22 (2) Annual permits.

23 (A) Transportation Code, §502.353, authorizes the

1 department to issue annual permits to provide for the movement  
2 of foreign commercial vehicles that are not authorized to travel  
3 on Texas highways for lack of registration or for lack of  
4 reciprocity with the state or country in which the vehicles are  
5 registered. The department will issue annual permits:

6 (i) for a 12-month period designated by the  
7 department which begins on the first day of a calendar month and  
8 expires on the last day of the last calendar month in that  
9 annual registration period; and

10 (ii) to each vehicle or combination of vehicles for  
11 the registration fee prescribed by weight classification in  
12 Transportation Code, §502.162 and §502.167.

13 (B) The department will not issue annual permits for  
14 the importation of citrus fruit into Texas from a foreign  
15 country except for foreign export or processing for foreign  
16 export.

17 (C) The following exemptions apply to vehicles  
18 displaying annual permits.

19 (i) Registered foreign semitrailers having gross  
20 weights in excess of 6,000 pounds used or to be used in  
21 combination with truck tractors or commercial motor vehicles  
22 with manufacturer's rated carrying capacities in excess of one  
23 ton are exempted from the requirement to pay the token fee and

1 display the associated distinguishing license plate provided for  
2 in Transportation Code, §502.167. An annual permit is required  
3 for the power unit only.

4 (ii) Vehicles registered with annual permits are not  
5 subject to the optional county registration fee under  
6 Transportation Code, §502.172, the optional county fee for  
7 transportation projects under Transportation Code, §502.1725 or  
8 the optional registration fee for child safety under  
9 Transportation Code, §502.173.

10 (3) 72-hour permits and 144-hour permits.

11 (A) In accordance with Transportation Code, §502.352,  
12 as amended, the department will issue a permit valid for 72  
13 hours or 144 hours for the movement of commercial motor  
14 vehicles, trailers, semitrailers, and motor buses owned by  
15 residents of the United States, Mexico, or Canada.

16 (B) A 72-hour permit or a 144-hour permit is valid for  
17 the period of time stated on the permit beginning with the  
18 effective day and time as shown on the permit registration  
19 receipt.

20 (C) Vehicles displaying 72-hour permits or 144-hour  
21 permits are subject to vehicle safety inspection in accordance  
22 with Transportation Code, §548.051, except for:

23 (i) vehicles currently registered in another state of

1 the United States, Mexico, or Canada; and

2 (ii) mobile drilling and servicing equipment used in  
3 the production of gas, crude petroleum, or oil, including, but  
4 not limited to, mobile cranes and hoisting equipment, mobile  
5 lift equipment, forklifts, and tugs.

6 (D) The department will not issue a 72-hour permit or a  
7 144-hour permit to a commercial motor vehicle, trailer,  
8 semitrailer, or motor bus apprehended for violation of Texas  
9 registration laws. Apprehended vehicles must be registered  
10 under Transportation Code, Chapter 502.

11 (4) Temporary agricultural permits.

12 (A) Transportation Code, §502.355, authorizes the  
13 department to issue a 30-day temporary nonresident registration  
14 permit to a nonresident for any truck, truck tractor, trailer,  
15 or semitrailer to be used in the movement of all agriculture  
16 products produced in Texas:

17 (i) from the place of production to market, storage,  
18 or railhead not more than 75 miles distant from the place of  
19 production; or

20 (ii) to be used in the movement of machinery used to  
21 harvest Texas-produced agricultural products.

22 (B) The department will issue a 30-day temporary  
23 nonresident registration permit to a nonresident for any truck,

1 truck tractor, trailer, or semitrailer used to move or harvest  
2 farm products, produced outside of Texas, but:

3 (i) marketed or processed in Texas; or

4 (ii) moved to points in Texas for shipment from the  
5 point of entry into Texas to market, storage, processing plant,  
6 railhead or seaport not more than 80 miles distant from such  
7 point of entry into Texas.

8 (C) The statutory fee for temporary agricultural  
9 permits is one-twelfth of the annual Texas registration fee  
10 prescribed for the vehicle for which the permit is issued.

11 (D) The department will issue a temporary agricultural  
12 permit only when the vehicle is legally registered in the  
13 nonresident's home state or country for the current registration  
14 year.

15 (E) The number of temporary agricultural permits is  
16 limited to three permits per nonresident owner during any one  
17 vehicle registration year.

18 (F) Temporary agricultural permits may not be issued to  
19 farm licensed trailers or semi-trailers.

20 (5) One-trip permits. Transportation Code, §502.354,  
21 authorizes the department to temporarily register any unladen  
22 vehicle upon application to provide for the movement of the  
23 vehicle for one trip, when the vehicle is subject to Texas

1 registration and not authorized to travel on the public roadways  
2 for lack of registration or lack of registration reciprocity.

3 (A) Upon receipt of the \$5.00 fee, registration will be  
4 valid for one trip only between the points of origin and  
5 destination and intermediate points as may be set forth in the  
6 application and registration receipt.

7 (B) The department will issue a one-trip permit to a  
8 bus which is not covered by a reciprocity agreement with the  
9 state or country in which it is registered to allow for the  
10 transit of the vehicle only. The vehicle should not be used for  
11 the transportation of any passenger or property, for  
12 compensation or otherwise, unless such bus is operating under  
13 charter from another state or country.

14 (C) A one-trip permit is valid for a period up to 15  
15 days from the effective date of registration.

16 (D) A one-trip permit may not be issued for a trip  
17 which both originates and terminates outside Texas.

18 (E) A laden motor vehicle or a laden commercial vehicle  
19 cannot display a one-trip permit. If the vehicle is  
20 unregistered, it must operate with a 72-hour or 144-hour permit.

21 (6) 30-day temporary registration permits.

22 Transportation Code, §502.354, authorizes the department to  
23 issue a temporary registration permit valid for 30 days for a

1 \$25 fee. A vehicle operated on a 30-day temporary permit is not  
2 restricted to a specific route. The permit is available for:

3 (A) passenger vehicles;

4 (B) motorcycles;

5 (C) private buses;

6 (D) trailers and semitrailers with a gross weight not  
7 exceeding 10,000 pounds;

8 (E) light commercial vehicles not exceeding a  
9 manufacturer's rated carrying capacity of one ton; and

10 (F) a commercial vehicle exceeding one ton, provided  
11 the vehicle is operated unladen.

12 (c) Application process.

13 (1) Procedure. An owner who wishes to apply for a  
14 temporary registration permit for a vehicle which is otherwise  
15 required to be registered in accordance with §17.22 of this  
16 title (relating to Motor Vehicle Registration), must do so on a  
17 form prescribed by the director.

18 (2) Form requirements. The application form will at a  
19 minimum require:

20 (A) the signature of the owner;

21 (B) the name and complete address of the applicant; and

22 (C) the vehicle description.

23 (3) Fees and documentation. The application must be

1 accompanied by:

2 (A) statutorily prescribed fees;

3 (B) evidence of financial responsibility:

4 (i) as required by Transportation Code, Chapter 502,  
5 Subchapter G, provided that all policies written for the  
6 operation of motor vehicles must be issued by an insurance  
7 company or surety company authorized to write motor vehicle  
8 liability insurance in Texas; or

9 (ii) if the applicant is a motor carrier as defined  
10 by §18.2 of this title (relating to Definitions), indicating  
11 that the vehicle is registered in compliance with Chapter 18,  
12 Subchapter B of this title; and

13 (C) any other documents or fees required by law.

14 (4) Place of application.

15 (A) All applications for annual permits must be  
16 submitted directly to the department for processing and  
17 issuance.

18 (B) Additional weight permits and temporary  
19 agricultural permits may be obtained by making application with  
20 the department through the county tax assessor-collectors'  
21 offices.

22 (C) 72-hour and 144-hour permits, one-trip permits, and  
23 30-day temporary registration permits may be obtained by making

1 application either with the department or the county tax  
2 assessor-collectors' offices.

3 (d) Display of registration insignia. The department will  
4 issue a specially designed cardboard tag or windshield  
5 validation sticker, upon receipt of a complete application for a  
6 permit.

7 (1) Cardboard tags shall be displayed in a manner that is  
8 clearly visible and legible when viewed from outside of the  
9 vehicle. The tag shall be attached to or displayed in the  
10 vehicle to allow ready inspection.

11 (2) Windshield validation stickers shall be displayed on  
12 the inside of the front windshield in the lower left corner.

13 (3) A receipt will be issued for each registration  
14 insignia as evidence of registration to be carried in the  
15 vehicle during the time the permit is valid. If the receipt is  
16 lost or destroyed, the owner must obtain a duplicate from the  
17 department or from the county office who issued the original  
18 receipt. The fee for the duplicate receipt is the same as the  
19 fee required by Transportation Code, §502.179.

20 (e) Transfer of temporary registration permits.

21 (1) Temporary registration permits are non-transferable  
22 between vehicles and/or owners.

23 (2) If the owner of a vehicle displaying a temporary

1 registration permit disposes of the vehicle during the time the  
2 permit is valid, the permit must be returned to the department  
3 immediately.

4 (f) Replacement permits. Vehicle owners displaying annual  
5 permits may obtain replacement permits if an annual permit is  
6 lost, stolen, or mutilated.

7 (1) The fee for a replacement annual permit is the same  
8 as for a replacement number plate, symbol, tab, or other device  
9 as provided by Transportation Code, §502.184, as amended.

10 (2) The owner shall apply directly to the department in  
11 writing for the issuance of a replacement annual permit. Such  
12 request should include a copy of the registration receipt and  
13 replacement fee.

14 (g) Agreements with other jurisdictions. In accordance  
15 with Transportation Code, §502.054 and Chapter 648, the  
16 executive director of the department may enter into a written  
17 agreement with an authorized officer of a state, province,  
18 territory, or possession of a foreign country to provide for the  
19 exemption from payment of registration fees by nonresidents if  
20 residents of this state are granted reciprocal exemptions. The  
21 executive director may enter into such agreement only upon:

22 (1) the approval of the governor; and

23 (2) making a determination that the economic benefits to

1 the state outweigh all other factors considered.

2 (h) Border commercial zones [~~Exemptions~~].

3 (1) Texas registration required. A vehicle located in a  
4 border commercial zone must display a valid Texas registration  
5 if the vehicle is owned by a person who:

6 (A) owns a leasing facility or a leasing terminal  
7 located in Texas; and

8 (B) leases the vehicle to a foreign motor carrier.

9 (2) Exemption from Texas registration. Except as  
10 provided by paragraph (1) of this subsection, a [A] foreign  
11 commercial vehicle operating in accordance with Transportation  
12 Code, Chapter 648 is exempt from the display of a temporary  
13 registration permit if there exists a valid reciprocity  
14 agreement between Texas and another state of the United States  
15 or a Canadian province that exempts currently registered  
16 vehicles owned by nonresidents in a border commercial zone, or:

17 (A) [~~1~~] the vehicle is engaged solely in the  
18 transportation of cargo across the border into or from a border  
19 commercial zone, [~~+~~] and

20 (B) [~~2~~] for each load of cargo transported the  
21 vehicle remains in this state for:

22 (i) [~~A~~] not more than 24 hours; or

23 (ii) [~~B~~] not more than 48 hours, if:

1                    (I) [~~i~~] the vehicle is unable to leave this state  
2 within 24 hours because of circumstances beyond the control of  
3 the motor carrier operating the vehicle; and

4                    (II) [~~ii~~] all financial responsibility  
5 requirements applying to this vehicle are satisfied;

6                    (iii) [~~C~~] the vehicle is registered and licensed as  
7 required by the law of another state or country as evidenced by  
8 a valid metal license plate attached to the front or rear  
9 exterior of the vehicle; and

10                   (iv) [~~D~~] the country in which the person who owns [~~or~~  
11 ~~controls~~] the vehicle is domiciled or is a citizen, provides a  
12 reciprocal exemption for commercial motor vehicles owned [~~or~~  
13 ~~controlled~~] by residents of Texas.