

**CHAPTER 111**

**S.B. No. 332**

An Act relating to requiring identifying markings on certain motor vehicles; providing a penalty; adding Article 6701b-1 to Title 116, Revised Statutes.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Title 116, Revised Statutes, is amended by adding Article 6701b-1 to read as follows:

*“Article 6701b-1. IDENTIFYING MARKINGS ON COMMERCIAL MOTOR VEHICLES*

*“Section 1. DEFINITIONS. In this article:*

*“(1) ‘Commercial motor vehicle’ means a motor vehicle, other than a motor cycle, designed or used primarily for the transportation of persons or property.*

*“(2) ‘Lessee’ means a person operating, or causing or permitting to be operated, a commercial motor vehicle under a lease, memorandum, or agreement executed under Chapter 209, Acts of the 53rd Legislature, Regular Session, 1953 (Article 6701c-1, Vernon’s Texas Civil Statutes).*

*“(3) ‘Operator’ means a person who is in actual physical control of a motor vehicle.*

*“(4) ‘Owner’ means a person who holds legal title to a motor vehicle or who has the legal right to possess or to control a motor vehicle.*

*“(5) ‘Person’ has the meaning assigned by the Code Construction Act (Article 5429b-2, Vernon’s Texas Civil Statutes).*

*“(6) ‘Truck-tractor’ means a motor vehicle designed or used primarily for pulling other vehicles and constructed only to carry a part of the weight of the vehicle pulled, but includes a motor vehicle that transports passenger cars loaded on itself while engaged with a semitrailer transporting passenger cars.*

*“(7) ‘Road-tractor’ means a motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or as any part of the weight of a vehicle or load so drawn.*

*“Section 2. IDENTIFYING MARKINGS REQUIRED. (a) A commercial motor vehicle having three or more axles, truck-tractor, or road-tractor that is operated on a public street, road, or highway of this state shall have identifying markings on each side of the power unit.*

*“(b) The identifying markings must be in clearly legible letters or numbers that are not less than two inches in height.*

*“(c) The identifying markings must show the name of the owner, operator, or lessee of the commercial motor vehicle, truck-tractor, or road-tractor.*

*“Section 3. EXCEPTIONS. This article does not apply to:*

*“(1) a commercial motor vehicle operated under the control, supervision, or authority of a motor bus company that has a certificate issued by the Railroad Commission of Texas under Chapter 270, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 911a, Vernon’s Texas Civil Statutes); or*

*“(2) a commercial motor vehicle, truck-tractor, or road-tractor operated under the control, supervision, or authority of a motor carrier that is subject to Section 18 or exempt under Section 18a, Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Vernon’s Texas Civil Statutes); or*

*“(3) a commercial motor vehicle, truck-tractor, or road-tractor required to be registered under Section 113.131, Chapter 113, Natural Resources Code; or*

*“(4) any commercial motor vehicle, truck-tractor, or road-tractor registered under Section 6a, Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-6a, Vernon’s Texas Civil Statutes); or*

*“(5) a commercial motor vehicle, truck-tractor, or road-tractor operated under the control, supervision, or authority of a person through the execution of a bona fide lease, memorandum, or agreement in compliance with Chapter 209, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 6701c-1, Vernon’s Texas Civil Statutes); or*

*“(6) any commercial motor vehicle, truck-tractor, or road-tractor operated in private carriage that is subject to Title 49, Code of Federal Regulations, Part 397.21; or*

*“(7) a commercial motor vehicle, truck-tractor, or road-tractor operated under the direct control, supervision, or authority of a bona fide public utility, as recognized by the Texas Legislature, that is otherwise visibly marked; or*

*“(8) any commercial motor vehicle, truck-tractor, or road-tractor transporting timber products in their natural state from first point of production or harvest to first point of processing.*

*“Section 4. PENALTY. (a) A person commits an offense if the person operates or causes or permits to be operated on a street, road, or highway of this state a commercial motor vehicle, truck-tractor, or road-tractor that does not comply with the requirements of Section 2 of this article.*

*“(b) An offense under this section is a Class C misdemeanor.”*

**SECTION 2.** This Act takes effect January 1, 1986.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on March 6, 1985, by a viva-voce vote; Senate concurred in House amendments on May 6, 1985, by a viva-voce vote; passed the House, with amendments, on May 1, 1985, by a non-record vote.

Approved: May 17, 1985

Effective: January 1, 1986