



COURT COSTS

For Conviction of Offenses Committed on or after January 1, 2008

OFFENSE/DESCRIPTION	State CF	Local TFC	Local CS	State STF	State SJRF	State JSF	State IDF	Total* ²
MUNICIPAL ORDINANCES								
■ Parking (authorized by Sections 542.202-542.203, Transportation Code)	N/A	N/A	* ¹	N/A	N/A	N/A	N/A	* ¹
■ Pedestrian	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
■ Other Municipal Ordinances								
• Punishable by a fine of \$200 or less	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
• Punishable by a fine of \$201-\$500	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
• Punishable by a fine of more than \$500	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
STATE LAW								
■ Transportation Code, Subtitle C, Rules of the Road								
• Parking & Pedestrian (in school crossing zone)	N/A	3.00	25.00	30.00	N/A	N/A	N/A	62.00
• Parking & Pedestrian (outside school crossing zone)	N/A	3.00	N/A	30.00	N/A	N/A	N/A	37.00
• Overtaking & Passing a School Bus, Section 545.066	40.00	3.00	25.00	30.00	4.00	6.00	2.00	110.00
• Other (outside school crossing zone)	40.00	3.00	N/A	30.00	4.00	6.00	2.00	85.00
• Other (in school crossing zone)	40.00	3.00	25.00	30.00	4.00	6.00	2.00	110.00
■ Transportation Code, Section 601.192, Failure to Maintain Financial Responsibility								
• First conviction	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
• Subsequent convictions	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
■ Education Code								
• Parent Contributing to Nonattendance, Section 25.093	40.00	N/A	20.00	N/A	4.00	6.00	2.00	72.00
• Failure to Attend School, Section 25.094	40.00	N/A	20.00	N/A	4.00	6.00	2.00	72.00
■ All other misdemeanors								
• Punishable by a fine of \$500 or less	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00
• Punishable by a fine of more than \$500	40.00	N/A	N/A	N/A	4.00	6.00	2.00	52.00

***Add applicable fees and other costs whenever they apply. See next page of chart for additional costs and fees.**

For the purpose of assessing, imposing, and collecting court costs and fees, a person is considered to have been convicted if:

- (1) a judgment, a sentence, or both a judgment and a sentence are imposed on the person;
- (2) the person receives community supervision, deferred adjudication, or deferred disposition; or
- (3) the court defers final disposition of the case or imposition of the judgment and sentence.

*¹ ■ \$2-5 court costs for cities with population greater than 850,000 that have adopted appropriate ordinance, regulation, or order (mandatory).

*¹ ■ Up to \$5 court costs for cities with population less than 850,000 that have adopted appropriate ordinance, regulation, or order (optional).

***² FEES (Add the following fees whenever they apply):**

- **Administrative Fee:** The court may order an administrative fee to be paid when the court grants DSC under Art. 45.0511(d), C.C.P.—court’s discretionary authority. The fee may not exceed the maximum amount of the possible fine for the particular offense charged.
- **Applicable fees for services of peace officers under Art. 102.011, Code of Criminal Procedure (C.C.P.):**
 - **Arrest Fee:** \$5 for issuing a written notice to appear in court following the defendant’s violation of a traffic law, municipal ordinance, penal law, or for making an arrest without a warrant. When service is performed by a peace officer employed by the State, 20% (\$1) is sent to the State.
 - **Warrant Fee:** \$50 for executing or processing an issued arrest warrant, *capias* or *capias pro fine*. When service is performed by a peace officer employed by the State, 20% (\$10) is sent to the State.
 - **Summoning a Witness:** \$5 for serving a subpoena.
 - **Summoning a Jury:** \$5 for summoning a jury.
 - **Service of any other writ** (includes summons for a defendant or a child’s parents): \$35.
 - **Other costs:** Costs for peace officer’s time testifying while off duty.
- **Expunction Fee:** \$30 fee to expunge the record of an offense (except traffic) involving a minor. (Arts. 45.0216(i) & 45.055(d), C.C.P.; Sec.106.12, A.B.C.; Sec. 161.255, H.S.C.)
- **Fees Created by City Ordinance:**
 - **Juvenile Case Manager Fee:** Up to \$5 fee for every fine-only misdemeanor offense if governing body has passed the required ordinance establishing a juvenile case manager fund. (Art. 102.0174, C.C.P.)
 - **Municipal Court Building Security Fee:** \$3 on every conviction if governing body has passed required ordinance establishing building security fund. (Art. 102.017, C.C.P.)
 - **Municipal Court Technology Fund:** Up to \$4 on every conviction if governing body has passed required ordinance establishing the municipal court technology fund. (Art. 102.0172, C.C.P.)
- **Jury Fee:** \$3 fee collected upon conviction when case tried before a jury. \$3 fee collected upon conviction if defendant had requested a jury trial and then withdrew the request not earlier than 24 hours before the time of trial; fee to be paid even if case is deferred. (Art. 102.004, C.C.P.)
- **Restitution Fee:** \$12 optional fee for defendants paying restitution in installments. (Art. 42.037, C.C.P.)
- **Special Expense Fees:** 1) At the conclusion of the deferral period under Article 45.051, C.C.P., upon dismissal of the charge, the court may assess a special expense fee not to exceed the amount of fine assessed but not imposed at the beginning of the deferral. (Art. 45.051(c), C.C.P.); and 2) An amount not to exceed \$25 that may be collected for execution of a warrant for *failure to appear* or *violate promise to appear*. City ordinance required to authorize collection. (Art. 45.203, C.C.P.)
- **Time Payment Fee:** The court shall collect a fee of \$25 from a person who has been convicted and pays any part of the fine, court costs or restitution on or after the 31st day after the date on which the judgment is entered. One-half (\$12.50) is sent to the State. One-tenth (\$2.50) is retained locally for judicial efficiency. Four-tenths (\$10) are retained locally with no restrictions. (Section 133.103, Local Government Code)
- **Traffic Law Failure to Appear (FTA):** \$30 for failure to appear or failure to pay or satisfy a judgment for violation of any fine-only offense **if city has contracted with the Department of Public Safety** to deny renewal of driver’s licenses. Two-thirds (\$20) are sent to the State. One-third (\$10) is retained locally. Applies to any violation that municipal court has jurisdiction of under Art. 4.14, C.C.P. (Chapter 706, T.C.)

Seat Belt & Child Safety Systems: City must remit to the State 50 percent of the fines collected for failing to secure a child in a child passenger safety system or to secure a child in a safety belt (Secs. 545.412 & 545.413(b), T.C.). Remittance must be done at the end of the city’s fiscal year. City must remit 50 percent of the \$100 to \$200 fines.

Excess Fines: Cities with population less than 5,000 must remit all but one dollar of fines and special expenses under Article 45.051, C.C.P. for Title 7, T.C. offenses when the fines and special expenses for such offenses reach 30 percent of the city’s budget less any federal money. (Section 542.402(b), T.C.)

Additional Fees: A court may assess a \$10 fee when a defendant elects to take a driving safety course (DSC) on or before the answer date on his or her citation (Art. 45.0511(f)(1), C.C.P.). The court may require the defendant to pay \$12 for the court to request the defendant’s certified Texas DL record from DPS for DSC (money sent to State). When a court grants teen court, the court may collect two \$10 fees – one is kept by the city for administering teen court, the other is disbursed to the teen court program (Teen court near Louisiana border may charge two \$20 fees) (Art. 45.052(e) & (g), C.C.P.). For dismissal fees for compliance dismissals, see TMCEC Compliance Dismissal Chart.

Name of Cost/Fee	Legal Reference	Abbreviation
Consolidated Fee	Local Government Code, Section 133.102	CF
Traffic Fund	Transportation Code, Section 542.403	TFC
Child Safety Fund	Code of Criminal Procedure, Article 102.014	CS
State Juror Reimbursement Fee	Code of Criminal Procedure, Article 102.0045	SJRF
State Traffic Fee	Transportation Code, Section 542.4031	STF
Judicial Support Fee	Local Government Code, Section 133.105	JSF
Indigent Defense Fee	Local Government Code, Section 133.107	IDF

COMPLIANCE DISMISSAL CHART

Fees effective on offenses that occur January 1, 2008 and after

Offense	Statute	Length of Time to Comply	Other Required Conditions	Amount of Fee
Operate Motor Vehicle without License Plates or with One Plate	Section 502.404, Transportation Code	Before defendant's first court appearance.	<ul style="list-style-type: none"> Registration for the vehicle must be current during period offense was committed; and Registration insignia was attached to the car before the defendant's first court appearance. Judge may dismiss. 	Not to exceed \$10. Fee Required.
Expired Motor Vehicle Registration	Section 502.407(b), Transportation Code	20 working days after the offense or before the defendant's first court appearance, whichever is later.	Defendant must show proof of payment of late registration fee to county assessor-collector. Judge may dismiss.	Not to exceed \$20. Fee Optional.
Display Altered, Unclean, or Obscured License Plates	Section 502.409, Transportation Code	Before the defendant's first court appearance.	None. Judge may dismiss.	Not to exceed \$10. Fee Optional.
Fail to Display Driver's License	Section 521.025, Transportation Code	None.	<ul style="list-style-type: none"> Defendant must show proof of valid driver's license at time of offense; and Prosecutor must make motion to dismiss. 	Not to exceed \$10. Fee Optional.
Expired Driver's License	Section 521.026, Transportation Code	20 working days after the offense or before the defendant's first court appearance, whichever is later.	None. Judge may dismiss.	Not to exceed \$20. Fee Optional.
Fail to Report Change of Address or Name	Section 521.054, Transportation Code	20 working days after the date of the offense.	None. Judge may dismiss.	Not to exceed \$20. Fee Required. Court may waive in the interest of justice.
Violate Driver's License Restriction or Endorsement	Section 521.221, Transportation Code	Before the defendant's first court appearance.	<ul style="list-style-type: none"> Driver's license endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of the offense, or in error and that is established by the defendant; and The Department of Public Safety removes the restriction or endorsement before the defendant's first court appearance. Judge may dismiss. 	Not to exceed \$10. Fee Required.
Operate Vehicle with Defective Required Equipment (or in unsafe condition)*	Section 547.004, Transportation Code	Before the defendant's first court appearance.	Does not apply if the offense involves a commercial motor vehicle. Judge may dismiss.	Not to exceed \$10. Fee Required.
Expired Inspection (Less than 60 days)	Section 548.605(b), Transportation Code	20 working days after the offense or before the defendant's first court appearance, whichever is later.	Judge shall dismiss.	Not to exceed \$20. Fee Required.
Expired Inspection (More than 60 days)	Section 548.605(b), Transportation Code	20 working days after the offense or before the defendant's first court appearance, whichever is later.	Judge may dismiss.	No Fee allowed.
Expired Certificate of Number	Section 31.127, Parks and Wildlife Code	10 working days after the offense.	Certificate of number cannot be expired more than 60 days. Judge may dismiss.	Not to exceed \$10. Fee Required.

*See back of page for list of common equipment violations.

***Operate Vehicle with Defective Required Equipment (or in unsafe condition) Section 547.004, Transportation Code**

Section 547.004 provides that a person commits an offense that is a misdemeanor if the person operates or moves or as an owner, knowingly permit another to operate or move, a vehicle that:

- Is unsafe so as to endanger a person;
- Is not equipped in a manner that complies with the vehicle equipment standards and requirements established by Chapter 547; or
- Is equipped in a manner prohibited by Chapter 547.

The following is a list of common equipment violations:

- Allowed vehicle in unsafe condition to be moved or driven so as to endanger any person: Section 547.004;
- Allow vehicle not equipped with required equipment to be moved or driven: Section 547.004;
- Affix unauthorized sunscreening device to motor vehicle: Section 547.613(a)(2);
- Brakes not maintained in good working order: Section 547.402;
- Brakes not on all wheels when required: Sections 547.401 & 547.802;
- Clearance (or side markers) improperly mounted): Section 547.354;
- Defective brakes or no brakes: Sections 547.401 & 547.408;
- Defective exhaust emission system: Section 547.605;
- Defective head lamps: Section 547.321, 547.302 & 547.801;
- Defective parking lamps: Section 547.383;
- Defective safety glazing material: Section 547.608;
- Defective stop lamp(s): Section 547.323;
- Defective tail lamp(s): Section 547.322;
- Defective or no windshield wiper: Section 547.603;
- Headlamp improperly located on motorcycle: Section 547.801;
- Improper flashing lights: Section 547.702(c);
- Improper use of back-up lamps: Section 547.332;
- Improperly directed lamps (over 300 candlepower): Section 547.305;
- Mirror violation (none or improperly located): Section 547.602;
- Muffler violation (none, defective, loud, cut-out, by-pass): Section 547.604
- No beam indicator: Section 547.333;
- No electric turn signal lamps: Section 547.324;
- No exhaust emission system (originally equipped but removed): Section 547.605;
- No headlamps (when not equipped): Sections 547.321 & 547.801;
- No license plate lamp: Sections 547.322 and 547.801;
- No multiple beam lighting equipment (or defective): Sections 547.333 & 547.801;
- No parking brakes or defective parking brakes: Section 547.404;
- No parking lamps: Section 545.383;
- No red reflectors on rear: Sections 547.325 & 547.801;
- No safety belts: Section 547.601;
- No single control to operate all breaks: Sections 547.402 & 547.403;
- No stop lamps: Sections 547.323 & 547.801;
- No tail lamps: Section 547.322 & 547.801;
- No two means of emergency brakes: Section 547.405(a);
- No windshield wiper: Section 547.603;
- Obstructed view through windshield or side or rear windows: Section 547.613;
- Red lights on front: Section 547.305;
- Television receiver, video equipment improperly located (visible to driver): Section 547.611;
- Wrong color clearance lamps: Section 547.305;
- Wrong color stop light, license plate light, back-up lamp, signal device: Section 547.332.

COMPARISONS OF DEFERRED OPTIONS

(Effective September 1, 2007)

	Driving Safety Course (DSC) or Motorcycle Operator Course (MOC) Dismissal Procedures Article 45.0511, C.C.P.	Suspension of Sentence and Deferral of Final Disposition Article 45.051, C.C.P.
Application/Use	<p>Applies to the following traffic offenses:</p> <ul style="list-style-type: none"> • Section 472.022, T.C.; (Obeying Warning Signs) • Subtitle C, Title 7, T.C.; (Rules of the Road) • Section 729.001(a)(3), T.C. (Operation of Motor Vehicle by Minors) <p>Exceptions:</p> <ul style="list-style-type: none"> • Offenses committed in a construction work maintenance zone when workers are present: Sec. 472.022, T.C.; Art. 45.0511(p)(3), C.C.P. • Traffic offenses committed by a person with a commercial driver's license Art. 45.0511(s), C.C.P. (Court is prohibited from granting DSC to a person who held a CDL at the time of the offense.); • Passing a school bus loading and unloading children Sec. 545.066, T.C.; • Leaving the scene of an accident Sec. 550.022 or 550.023, T.C.; or • Speeding 25 m.p.h. or more over the limit or in excess of 95 m.p.h. Art. 45.0511(b)(5), C.C.P. <p>Court must advise person charged with offenses under Subtitle C, Rules of the Road, T.C., of right to take course.</p>	<p>Applies to fine-only offenses except:</p> <ul style="list-style-type: none"> • Traffic offenses committed in a construction work maintenance zone when workers present (Sec. 472.022, T.C.; Art. 45.051(f)(1), C.C.P.); or • A violation of a state law or local ordinance relating to motor vehicle control, other than a parking violation committed by a person with a commercial driver's license. • A traffic offense committed by a person who holds a commercial driver's license; or held a commercial driver's license when offense committed (Art. 45.051(f)(2), C.C.P.). (Traffic offense is defined in Section 720.001(f)(2), T.C., to mean an offense under Chapter 521 (driver's license offenses) or Subtitle C, Rules of the Road offense.)
How Often	<p>Defendant may request if the defendant has not had a driving safety course within the 12 months preceding the date of the current offense. Under Subsection (u), defendants may take DSC for a violation of Sec. 545.412, T.C., even if they have taken DSC in the last 12 months. Defendants may do this only if the judge requires the defendant to take a specialized DSC (including 4 hours of instruction on child passenger safety seat systems) and any course the defendant has taken in the last 12 months did not have such instruction.</p> <p>If the defendant is on active military duty, is the spouse or dependant child of a person on active military duty, the defendant cannot have taken a driving safety course/motorcycle operator course in another state within the 12 months preceding the date of the current offense.</p> <p>Under Subsection (d), (notwithstanding subsections (b)(2) & (3)), the court may grant DSC/MOC before final disposition of the case.</p>	<p>Deferred may be granted any time at the judge's discretion.</p> <p>(Court reports to the Department of Public Safety (DPS) the order of deferred for Alcoholic Beverage Code offenses when deferred is granted.)</p>
Plea Required	<p>A plea of guilty or <i>nolo contendere</i> is required when the request is made. Request must be made on or before answer date on citation.</p> <p>Judge has discretion to grant course before final disposition of the case under Subsection (d).</p>	<p>A plea of guilty of <i>nolo contendere</i> or a finding of guilt required.</p>
Proof of TX DL or on Active Military Duty	<p>Defendant must have a Texas driver's license or permit unless the defendant is on active military duty or the spouse or dependent child of a person on active military duty, then the defendant does not have to have a Texas driver's license or permit.</p>	NO
Proof of Financial Responsibility	<p>Defendants are required to present proof of financial responsibility under Chapter 601, Transportation Code.</p>	NO
Court Costs Collected	<p>YES</p> <p>Due when request made.</p>	<p>YES</p> <p>Judge may allow defendant to pay out during deferral period by time payments or performing community service or both time payments and community service.</p>
Time Limit	<p>Court defers imposition of the judgment for 90 days. The defendant must take the course and present evidence of completion by the 90th day. Defendant also required to present to the court a copy of his or her driver's license record as maintained by DPS and an affidavit stating that he or she was not taking DSC or MOC at the time of the request nor has he or she taken a course that is not on his or her driver's license record. Under Subsection (u), the defendant's driver's license record and affidavit are required to show that defendant did not have specialized DSC in preceding 12 months.</p>	<p>Not to exceed 180 days.</p> <p>(1 to 180 days)</p>
Optional Administrative or Special Expense Fee	<p>If defendant makes request on or before answer date, the court may only assess an administrative \$10 non-refundable fee.</p> <p>If the judge grants a course before the final disposition of the case under Subsection (d), the court may assess a fee not to exceed the maximum possible penalty for the offense.</p>	<p>OPTIONAL SPECIAL EXPENSE FEE not to exceed the amount of fine assessed at the time the court grants the deferral, but collected at the end of the deferral period after the court dismisses the case.</p>

COMPARISONS OF DEFERRED OPTIONS

(Effective September 1, 2007)

	Driving Safety Course (DSC) or Motorcycle Operator Course (MOC) Dismissal Procedures Article 45.0511, C.C.P.	Suspension of Sentence and Deferral of Final Disposition Article 45.051, C.C.P.
Twelve Dollar Fee* for Driving Record	Court may, at time defendant requests DSC/MOC, require defendant to pay a \$12* fee for copy of defendant's driving record and court may obtain a copy of driving record from TexasOnline. Twelve dollar fee must be remitted to State Comptroller like other court costs.	Court not required to obtain driving record and there is no authorization for judge to collect a fee for a driving record.
Other Requirements	<p>Request may be oral or in writing. If mailed, request must be sent certified mail. (Article 45.0511(b)(3), C.C.P.)</p> <p>When a defendant requests a course on or before the answer date on the citation, the defendant must present evidence of a valid Texas driver's license or permit, or show that he or she is on active military duty.</p> <p>On or before the 90th day after the request the defendant must present:</p> <ol style="list-style-type: none"> 1. Evidence of course completion; 2. A copy of his or her driving record as maintained by DPS, if any; 3. If the defendant is on active military duty and does not have a Texas driver's license, the affidavit must state that the defendant was not taking a driving safety course or motorcycle operator course, as appropriate, in another state on the date of the request to take the course was made and had not completed such a course within the 12 months preceding the date of the offense. 4. An affidavit stating that he or she was not taking a course at the time of request for the current offense nor had he or she taken a course that was not yet on his or her driving record within the 12 months preceding the date of the current offense. 5. If the offense is charged under section 545.412, T.C., (Child Passenger Safety Seat Systems), the defendant's driving record and affidavit are only required to show that they have not taken the specialized DSC in the last 12 months. 	<p>Requirements: Judge <u>may</u> require the following:</p> <ol style="list-style-type: none"> 1. Post bond in the amount of the fine assessed to secure payment of the fine; 2. Pay restitution to the victim of the offense in an amount not to exceed the fine assessed; 3. Submit to professional counseling; 4. Submit to diagnostic testing for alcohol or controlled substance or drug; 5. Submit to psychosocial assessment; 6. Participate in an alcohol or drug abuse treatment or education program; 7. Pay the costs of any diagnostic testing, psychosocial assessment, or participation in a treatment or education program either directly or through the court as court costs; 8. Complete DSC or other course as directed by the judge; 9. Present to the court satisfactory evidence of compliance with the terms imposed by the judge; and 10. Comply with any other reasonable condition. <p style="text-align: center;">-----</p> <p>Requirements - Judge <u>must</u>:</p> <p>If defendant under age 25 is charged with a moving traffic offense, Subsection (b)(8) does not apply. The judge shall require DSC. If the defendant holds a provisional license, the judge shall require the defendant to be examined by DPS under Sec. 521.161(b)(2), T.C., and pay DPS a \$10 fee.</p> <p>For Alcoholic Beverage Code offenses and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendant under the age of 21), court must require an alcohol awareness course. Sec. 106.115(a), A.B.C.</p> <p>For Alcoholic Beverage Code offenses, except DUI, and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendant under the age of 21), court must require community service. Sec. 106.071(d), A.B.C.</p> <p>1st offense: eight to 12 hours. 2nd offense: 20 to 40 hours.</p> <p>For Alcoholic Beverage Code offenses and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendant under the age of 21), court must require an alcohol awareness course. Sec. 106.115(a), A.B.C.</p> <p>For Alcoholic Beverage Code offenses, except DUI, and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendant under the age of 21), court must require community service. Sec. 106.071(d), A.B.C.</p> <p>1st offense: eight to 12 hours. 2nd offense: 20 to 40 hours.</p>
Satisfactory Completion	Judge shall remove the judgment and dismiss the case; the dismissal must be noted in the docket. Court reports the completion date of the course after the court dismisses the case.	Judge shall dismiss and note in docket that complaint is dismissed. (Only report to DPS the order of deferred for Alcoholic Beverage Code offenses when deferred is granted.)
Failure to Complete	<p>If defendant fails to furnish the evidence of course completion, a copy of his or her driving record as maintained by DPS that shows that he or she had not taken DSC or MOC within the 12 months preceding the date of offense, and the affidavit, the court shall set a show cause hearing and notify the person by mail. At the hearing the judge may, on a showing of good cause, allow the defendant time to present the uniform certificate of course completion. If the court does not grant more time, the defendant may pay the fine or appeal the case.</p> <p>If a defendant fails to appear at the show cause hearing, the court may issue a <i>capias pro fine</i>.</p>	<p>If defendant fails to comply with terms of the deferral, the court shall set a show cause hearing and notify the person in writing by mail to the address on file and required the person to show cause why the order of deferral should not be revoked. The judge may on a showing of good cause allow an additional period during which the defendant may present evidence of the compliance with requirements. If at the show cause hearing or by conclusion of the additional period person does not present satisfactory evidence of compliance, the judge may enter judgment that imposes the fine or may reduce the fine if the person is at least age 25 or older and not charged with a traffic offense. If the person is under age 25 and charged with a traffic offense, the judge may not reduce the fine. If the offense is a traffic offense, the court must report the traffic conviction to DPS. The defendant may pay the fine or appeal.</p> <p>If a defendant fails to pay, the court may issue a <i>capias pro fine</i>.</p>
Appeal	The defendant may appeal after judge imposes the judgment.	After the judge enters the judgment and imposes the fine, the defendant may appeal.

*Effective January 1, 2008



THE BIG THREE — REGISTRATION, INSPECTION, AND FINANCIAL RESPONSIBILITY REQUIREMENTS

	Registration	Inspection	Financial Responsibility
General Rule	Motor Vehicles must be registered Transportation Code §502.002.	Transportation Code §548.051—Those motor vehicles registered in this state must be inspected (list of vehicles not required to be inspected found at Transportation Code §548.052).	Transportation Code §601.051— Can't operate a motor vehicle unless financial responsibility is established [Motor Vehicle defined in §601.002(5)]
“Off-highway Vehicles” (ATVs)	Parks & Wildlife Code §29.003—Cannot be registered for operation on a public highway, public land, or land under the control of the Texas Dept. of Parks & Wildlife without obtaining and properly mounting an off-highway vehicle decal. Exception: state, county, or municipality vehicle on a public beach or highway to maintain safety and welfare.	Not required	Required if all-terrain vehicle is designed for use on a highway. Not required if all-terrain is not designed for use on a highway [See definition of motor vehicle Transportation Code §601.002(5)]
“Electric Bicycles”	Transportation Code §502.0075—Not required to be registered.	Not required	Not required—Not a Motor Vehicle [See Transportation Code §541.201(11)]
“Golf Carts”	Transportation Code §502.0071—Not required to be registered if (1) operation occurs in daytime AND (A) operated for distance not more than 2 miles from origin to/from golf course or (B) operated entirely within a master planned community or (C) operated on a public or private beach.	Only required if registered	No financial responsibility for golf carts that are not required to be registered under §502.0071
“Moped”	Transportation Code §502.007—Treat as a Motorcycle—Registration required.	Required	Required
“Motorized Mobility Device”	Transportation Code §502.0074—Not required to be registered.	Not required	Not required—Not a motor vehicle
“Neighborhood Electric Vehicle”	Transportation Code §551.302 The Texas Department of Transportation may adopt rules relating to registration. (Has not done so.)	Only if required to be registered (Not at this time)	Not required
“Electric Personal Assistive Mobility Device”	Texas Administrative Code Rule 17.22(g)—Not required to be registered.	Not required	Not required—Not a motor vehicle under Transportation Code §601.002
“Motorcycle”	Transportation Code §§502.002 and 502.405 Motor vehicle, registration required.	Required	Required
“Pocket Bike or Minimotor Bike”	Chapter 502, Transportation Code contains no provisions for registration.	Not required	Not required—Not designed for use on highway

Definitions:

All-terrain vehicle (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions / 663.001 TRANSP. All terrain Vehicles—General Provisions—Definitions) means a motor vehicle that is (A) equipped with a saddle, bench, or bucket seats for the use of: (i) the rider, and (ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger; (B) designed to propel itself with three or more tires in contact with the ground; (C) designed by the manufacturer for off-highway use; and (D) not designed by the manufacturer for farming or lawn care.

Bicycle (§541.201 TRANSP.—Rules of the Road – Definitions – Vehicles) means a device that a person may ride and that is propelled by human power and has two tandem wheels at least one of which is more than 14 inches in diameter.

Electric personal assistive mobility device (§551.201 TRANSP. – Rules of the Road—Operation of Bicycles, Mopeds and Play Vehicles—EPAMD—Definitions) means a two non-tandem wheeled device designed for transporting one person that is: (1) self-balancing; and (2) propelled by an electric propulsion system with an average power of 750 watts or one horsepower.

Electric bicycle (§541.201 TRANSP.—Rules of the Road—Definition—Vehicles) means a bicycle that: (A) is designed to be propelled by an electric motor, exclusively or in combination with the application of human power, (B) cannot attain a speed of more than 20 miles per hour without the application of human power, and (C) does not exceed a weight of 100 pounds.

Golf cart (§ 502.001 TRANSP. Registration of Vehicles – General Provisions—Definitions) means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.

Light truck (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions) means a commercial motor vehicle designed by the manufacturer primarily for carrying capacity of one ton or less.

Light truck (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a truck, including a pick-up truck, panel delivery truck, or carryall truck, that has a manufacturer's rated carrying capacity of 2,000 pounds or less.

Moped (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motor-driven cycle that cannot attain a speed in one mile or more than 30 miles per hour and the engine of which: (A) cannot produce more than two-brake horse-power; and (B) is an internal combustion engine, has a piston displacement of 50 cubic centimeters or less and connects to a power drive system that does not require the operator to shift gears.

Motorcycle (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions) means a motor vehicle designed to propel itself with nor more than three wheels in contact with the ground. The term does not include a tractor.

Motorcycle (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motor vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have when propelled not more than three wheels on the ground.

Motor-driven cycle (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motorcycle equipped with a motor that has an engine piston displacement of 250 cubic centimeters or less. The term does not include an electric bicycle.

Motor assisted scooter (§ 551.301 TRANSP. – Rules of the Road— Operations of Bicycles, Mopeds, and Play Vehicles—Neighborhood Electric Vehicles—Definitions) means a self-propelled device with: at least two wheels in contact with the ground during operation; a braking system capable of stopping the device under typical operating conditions; a gas or electric motor not exceeding 40 cubic centimeters; a deck designed to allow a person to stand or sit while operations the device; and the ability to be propelled by human power alone.

Motor vehicle (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions) means a vehicle that is self-propelled.

Motor vehicle (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a self-propelled vehicle or a vehicle that is propelled by electric power form overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device, as defined by Section 551.201 TRANSP.

Motor vehicle (§ 601.002 TRANSP. Motor Vehicle Safety Responsibility Act—General Provisions—Definitions) means a self-propelled vehicle designed for use on a highway, a trailer or semitrailer designed for use with a self-propelled vehicle, or a vehicle propelled by electric power from overhead wires and not operated on rails. The term does not include: a traction engine, a road roller or grader, a tractor crane, a power shovel, a well driller, an implement of husbandry, or an electric personal assistive mobility device, as defined by Section 551.201 TRANSP.

Motorized mobility device (§ 542.009 TRANSP. Rules of the Road—General Provisions—Applicability) means a device designed for transportation of persons with physical disabilities that: (1) has three or more wheels; (2) is propelled by a battery-powered motor; (3) has not more than one forward gears; and (4) is not capable of speeds exceeding eight miles per hour. For the purposes of this subtitle, a person operating a nonmotorized wheelchair or motorized mobility device is considered to be a pedestrian.

Neighborhood electric vehicle (§ 551.301 TRANSP. – Rules of the Road— Operations of Bicycles, Mopeds, and Play Vehicles—Neighborhood Electric Vehicles—Definitions) means a vehicle subject to Federal Motor Vehicle Safety Standard 500 (49 C.F.R. § 571.500).

Off-highway vehicle (§ 29.001 PARKS & WILDLIFE) means (1) an all-terrain vehicle as defined by Section 663.001, TRANSP.; (2) an off highway motorcycle; and (3) any other motorized vehicle used for off-highway recreation on: (A) public land over which the department has authority or on land purchased or leased by the department; or (B) land acquired or developed under a grant made under Section 29.008 or any other grant program operated or administered by the department.

Passenger car (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions) means a motor vehicle, other than a motorcycle, golf cart, light truck, or bus, designed or used primarily for the transportation of persons.

Passenger car (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate 10 or fewer passengers, including the operator.

Truck (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motor vehicle designed, used, or maintained primarily to transport property.

Truck tractor (§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a motor vehicle designed and used primarily to draw another vehicle but not constructed to carry a load other than a part of the weight of the other vehicle and its load.

Vehicle (§ 502.001 TRANSP. Registration of Vehicles—General Provisions—Definitions/§ 541.201 TRANSP. – Rules of the Road—Definitions—Vehicles) means a device that can be used to transport or draw persons or property on a highway. The term does not include: (A) a device exclusively used on stationary rails or tracks; or (B) manufactured housing as that term is defined by Chapter 1201, Occupations Code.

MUNICIPAL COURT JURISDICTION

Effective September 1, 2007

City Ordinance		Cite
	Territorial limits (exclusive jurisdiction)	Art. 4.14, C.C.P. Sec. 29.003, G.C.
	Property owned in extraterritorial limits (exclusive jurisdiction)	Sec. 29.003, G.C.
	Extraterritorial limits: nuisance ordinances adopted under Sec. 217.042, L.G.C. (exclusive jurisdiction)	A.G. Op. No. JC-0025
	Extraterritorial limits: concurrent jurisdiction with justice and county court under Section 216.906, L.G.C. (regulation of outdoor signs)	Sec. 26.045, G.C. Art. 4.11, C.C.P.
	Appeals red light civil penalties: A municipal court, including a municipal court of record, shall have exclusive appellate jurisdiction within the municipality's territorial limits in cases arising from Ch. 707, T.C. (Photo Traffic Signal Enforcement)	Sec. 29.003(g), G.C.
	Municipal Court of Record Only: Criminal cases arising under ordinances adopted by home-rule cities authorized by Secs. 215.072, 217.042, 341.903, 401.002, L.G.C. (exclusive jurisdiction): <ul style="list-style-type: none"> • Cases arising from the inspection of dairies, slaughterhouses, or pens in or outside the city limits from which milk or meat is furnished to the residents of the city. (Sec. 215.072) • Nuisances within 5,000 feet outside the city limits. (Sec. 217.042) • Cases from the following areas owned by and located outside a home-rule city: Parks and grounds; lakes and land contiguous to and used in connection with a lake; and speedways and boulevards. (Sec. 341.903, L.G.C.) • Watersheds if population greater than 750,000 and groundwater constitutes more than 75 percent of city's source of water supply. (Sec. 401.002) 	Sec. 30.00005, G.C.
	Municipal Court of Record Only: By ordinance, the governing body can provide for concurrent civil jurisdiction with county courts to enforce nuisance abatement and junk vehicle provisions of Chapters 54 and 214, L.G.C., and Chapter 683, T.C.	Sec. 30.00005(d), G.C.
Joint Board Operating an Airport	Territorial limits: resolution, rule, or order (exclusive jurisdiction) Property owned by city in extraterritorial limits (exclusive jurisdiction)	Sec. 29.003, G.C. Sec. 29.003, G.C.
State Law	Territorial limits Fine-only offenses (concurrent jurisdiction with justice court)	Art. 4.14, C.C.P. Sec. 29.003, G.C.
	Property owned by city in extraterritorial limits (concurrent jurisdiction with justice court)	Sec. 29.003, G.C.
	Territorial limits and property owned by the city in extraterritorial limits (concurrent jurisdiction with the justice court, county court, and county court at law for enforcement of Chapter 503, T.C.)	Sec. 503.092(b), T.C.

Abbreviations:

C.C.P. = Code of Criminal Procedure
A.G. Op. No. = Attorney General Opinion
G.C. = Government Code
T.C. = Transportation Code
L.G.C. = Local Government Code

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