



## **FORT SAM HOUSTON LEGAL ASSISTANCE OFFICE** **MOTOR VEHICLES**

### **Registration, Driver's License, and Inspection**

If you're a member of the armed forces and not a resident of Texas, you may retain the vehicle registration from your home state or re-register your car here. The Servicemember's Civil Relief Act exempts you from paying local taxes. However, this Act does not exempt your dependents from paying local taxes. Consequently, if other members of your family own a car, they must register it with the county Tax Assessor-Collector within 30 days after arrival in this state.

Your vehicle should also have a safety inspection sticker from your home state (if it is registered there) or from Texas. If your home state has no inspection procedures, you must have your car inspected in this state. Also, if you plan to register your car in Texas, you are required to obtain a Texas safety inspection certificate and provide proof of financial responsibility.

### **Safety Inspection**

Any vehicle registered in Texas and operated on Texas highways must display a valid safety inspection sticker. Texas also requires that motorists show proof of financial responsibility prior to obtaining one. If your vehicle is registered out of state, you must either obtain a Texas safety inspection sticker or have a valid safety inspection sticker from the state in which your car is registered.

If your vehicle is registered in Texas, but you are out of state when the safety inspection certificate expires, you have 72 hours after reaching your Texas destination to obtain a current inspection certificate.

### **Purchase and Sale of Automobiles (Title Transfers)**

An important factor in the purchase and sale of an automobile is the transfer or change of title. Most states, including Texas, issue title certificates for each vehicle as proof of ownership. These certificates are generally registered with the Division of Motor Vehicles in that state.

Before a valid sale can be made of a vehicle in Texas, it is necessary that the name of the seller be clearly shown on the front of the title certificate, together with any encumbrances or liens that may exist on the vehicle. A seller who does not have a title to the vehicle cannot

make a bona fide sale in this state. Before buying a vehicle, make sure the person selling the vehicle has the vehicle registration in his name as shown on the face of the title certificate.

The seller of a secondhand or used car must provide the purchaser with the certificate of title and an application for the transfer of title. The purchaser should file these documents with the Tax Assessor-Collector's Office of the county where the sale takes place within 20 working days from the date of transfer. There is a sales tax of 6.25 percent.

You are permitted under the Servicemember's Civil Relief Act to apply for title in *your home state* or *in the state* in which you are presently stationed. All vehicle title companies carry title transfer forms and can assist you in their preparation.

### **Accident Report**

The operator of any motor vehicle which is involved in an accident in Texas must file an accident report with the Texas Department of Public Safety within 10 days of the accident if (1) the accident is not investigated by a law enforcement officer and (2) there is personal injury, death, or property damage in excess of \$500. The required form may be obtained from the San Antonio Police Department or the Texas Department of Public Safety.

### **Liability Insurance**

Texas requires liability insurance on all vehicles operated within the state. Minimum liability insurance requirement on all vehicles operated within the state are \$20,000/\$40,000 for bodily injury and \$15,000 for property damage. You must provide proof of insurance upon request of a peace officer or a person involved in an accident with you. Failure to maintain insurance could result in a fine, loss of driving privileges, and loss of car tags.

### **Driving While Intoxicated**

Any person who drives on Texas public highways impliedly consents to take a breathalyzer or blood sample/specimen test to determine the alcohol content of his/her blood. If you refuse to take such a test when requested to do so, your driving privileges will automatically be suspended for 180 days. If you consent to give the specimen and the specimen shows you had an alcohol concentration of .08 or more, your driving privileges will be automatically suspended for not less than 60 days. This is a civil administrative action and is separate from any criminal liability for driving while intoxicated. Driving is a privilege which can be withdrawn by the state without violating your rights. Moreover, you can be convicted of DWI with or without a breathalyzer or blood sample/specimen.

Driving while intoxicated can have serious criminal consequences. If convicted of DWI in Texas, you may receive a fine and/or a jail sentence. For a first offense fines go up to \$2000 and jail sentences range from a mandatory minimum of 72 hours to 180 days. There is also an automatic 90-365 day suspension of your driving privileges. For anyone under the age of 21, it is illegal to drive with any detectable amount of alcohol. If you are charged with DWI, be prepared to hire a civilian attorney. A civilian conviction for DWI requires your commander to take appropriate disciplinary actions.