

By: Ortega

H.B. No. 46

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the denial of the registration of a motor vehicle based
3 on certain information provided by a county to the Texas Department
4 of Motor Vehicles.

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

6 SECTION 1. Section 502.010, Transportation Code, is amended
7 by amending Subsections (a), (b), (c), (d), (f), and (f-1) and
8 adding Subsections (a-1) and (k) to read as follows:

9 (a) Except as otherwise provided by this section, a county
10 assessor-collector [~~or the department~~] may refuse to register a
11 motor vehicle if the assessor-collector [~~or the department~~]
12 receives information that the owner of the vehicle:

13 (1) owes the county money for a fine, fee, or tax that
14 is past due; or

15 (2) failed to appear in connection with a complaint,
16 citation, information, or indictment in a court in the county in
17 which a criminal proceeding is pending against the owner.

18 (a-1) If the department determines that a county
19 assessor-collector is authorized to refuse to register a vehicle
20 under Subsection (a):

21 (1) the vehicle may not be registered through an
22 online system designated by the department under Section
23 520.005(d); and

24 (2) the department shall refuse to register the

1 vehicle through an online system that is available to the public.

2 (b) The [A county may contract with the] department shall
3 develop and implement a system through which counties may [to]
4 provide information to the department necessary to make a
5 determination under Subsection (a-1) [~~a~~]. The system developed
6 under this section must:

7 (1) verify in real time the information described by
8 Subsection (a) by searching against the vehicle owner's driver's
9 license number, date of birth, or other information provided to the
10 department; and

11 (2) be used for the registration of a vehicle
12 conducted through the department's Internet website.

13 (c) A county that provides information [~~has a contract~~]
14 under Subsection (b) shall immediately notify the department
15 regarding a person for whom the county assessor-collector or the
16 department has refused to register a motor vehicle on:

17 (1) the person's payment or other means of discharge,
18 including a waiver, of the past due fine, fee, or tax; or

19 (2) perfection of an appeal of the case contesting
20 payment of the fine, fee, or tax.

21 (d) After notice is received under Subsection (c), the
22 county assessor-collector or the department may not refuse to
23 register the motor vehicle under Subsection (a) or (a-1).

24 (f) Except as otherwise provided by this section, a county
25 [~~that has a contract under Subsection (b)~~] may impose an additional
26 reimbursement fee of \$20 to:

27 (1) a person who fails to pay a fine, fee, or tax to the

1 county by the date on which the fine, fee, or tax is due; or

2 (2) a person who fails to appear in connection with a
3 complaint, citation, information, or indictment in a court in which
4 a criminal proceeding is pending against the owner.

5 (f-1) The additional reimbursement fee may be used only to
6 reimburse [~~the department or~~] the county assessor-collector for its
7 expenses for providing services under this section [~~the contract~~],
8 or another county department for expenses related to services under
9 this section [~~the contract~~].

10 (k) Notwithstanding any other provision of law, the
11 department:

12 (1) may collect information necessary to implement
13 this section, including a vehicle owner's driver's license number
14 or date of birth; and

15 (2) may not disclose any personal identifying
16 information collected under this section, including a vehicle
17 owner's driver's license number or date of birth.

18 SECTION 2. Section 502.010(e), Transportation Code, is
19 repealed.

20 SECTION 3. The Texas Department of Motor Vehicles shall
21 implement the system required by Section 502.010(b),
22 Transportation Code, as amended by this Act, not later than
23 September 1, 2024.

24 SECTION 4. Section 502.010, Transportation Code, as amended
25 by this Act, applies only to an application for motor vehicle
26 registration or registration renewal received by the Texas
27 Department of Motor Vehicles on or after the effective date of this

1 Act. An application for registration or registration renewal that
2 was received before the effective date of this Act is governed by
3 the law in effect on the date the application was received, and the
4 former law is continued in effect for that purpose.

5 SECTION 5. (a) Except as provided by Subsection (b) of this
6 section, this Act takes effect September 1, 2024.

7 (b) This Act takes effect September 1, 2023.