

1-1 By: Denny (Senate Sponsor - Staples) H.B. No. 1350
1-2 (In the Senate - Received from the House April 11, 2005;
1-3 April 12, 2005, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 11, 2005, reported
1-5 favorably by the following vote: Yeas 7, Nays 0; May 11, 2005,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the definition of a salvage motor vehicle.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 501.091(15), Transportation Code, is
1-12 amended to read as follows:

1-13 (15) "Salvage motor vehicle":

1-14 (A) means a motor vehicle that:

1-15 (i) has damage to or is [damaged] missing a
1-16 major component part to the extent that the cost of repairs,
1-17 including parts and labor other than the cost of materials and labor
1-18 for repainting the motor vehicle and excluding sales tax on the
1-19 total cost of repairs, [repair] exceeds the actual cash value of the
1-20 motor vehicle immediately before the damage; or

1-21 (ii) is damaged and that comes into this
1-22 state under an out-of-state salvage motor vehicle certificate of
1-23 title or similar out-of-state ownership document that states on its
1-24 face "accident damage," "flood damage," "inoperable,"
1-25 "rebuildable," "salvageable," or similar notation; and

1-26 (B) does not include an out-of-state motor
1-27 vehicle with a "rebuilt," "prior salvage," "salvaged," or similar
1-28 notation, a nonrepairable motor vehicle, or a motor vehicle for
1-29 which an insurance company has paid a claim for:

1-30 (i) the cost of repairing hail damage; or

1-31 (ii) theft, unless the motor vehicle was
1-32 damaged during the theft and before recovery to the extent
1-33 described by Paragraph (A)(i).

1-34 SECTION 2. This Act takes effect September 1, 2005.

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