

1-1 By: Jackson, et al. H.B. No. 1531
1-2 (Senate Sponsor - Harris)
1-3 (In the Senate - Received from the House April 25, 2005;
1-4 April 26, 2005, read first time and referred to Committee on
1-5 Business and Commerce; May 5, 2005, reported favorably by the
1-6 following vote: Yeas 8, Nays 0; May 5, 2005, sent to printer.)

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

1-9 relating to telematics services excepted from private security
1-10 regulation.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter N, Chapter 1702, Occupations Code, is
1-13 amended by adding Section 1702.331 to read as follows:

1-14 Sec. 1702.331. TELEMATICS SERVICE PROVIDERS. (a) In this
1-15 section, "telematics service" means:

1-16 (1) a service that:

1-17 (A) is provided to owners, operators, and
1-18 occupants of consumer vehicles or commercial fleet vehicles through
1-19 the remote access of in-vehicle data that may rely on global
1-20 positioning system satellite data to fix the exact location of the
1-21 vehicle, including:

1-22 (i) location-specific emergency and
1-23 roadside vehicle breakdown assistance;

1-24 (ii) automatic collision notification;

1-25 (iii) real-time traffic and navigation
1-26 information;

1-27 (iv) remote vehicle diagnostics; and

1-28 (v) stolen vehicle recovery;

1-29 (B) is enabled through the two-way communication
1-30 of voice or data, often with an interactive voice response
1-31 technology interface, between a service subscriber's vehicle and a
1-32 telematics company's response center; and

1-33 (C) is provided to:

1-34 (i) enhance vehicle service, safety, and
1-35 convenience while driving for vehicle owners;

1-36 (ii) enable automakers and automobile
1-37 dealerships to achieve greater service and customer management
1-38 efficiencies and to increase customer retention; and

1-39 (iii) enable fleet operators to remotely
1-40 manage their vehicles and other mobile assets; and

1-41 (2) a related service provided to consumers,
1-42 automakers, automobile dealerships, and commercial fleet operators
1-43 by a telematics company as part of the emerging technology industry
1-44 that delivers telematics services on a national basis to service
1-45 subscribers.

1-46 (b) Except as otherwise provided by this section, this
1-47 chapter does not apply to a person who provides a telematics service
1-48 in this state.

1-49 (c) To qualify for the exemption provided by Subsection (b),
1-50 a telematics service provider shall:

1-51 (1) establish business practices and procedures that
1-52 are at least as stringent as the guidelines established by the
1-53 Association of Public Safety Communications Officials
1-54 International regarding the communication of information from
1-55 telematics service providers to public safety agencies; and

1-56 (2) pay an annual fee of \$2,500 to the department.

1-57 (d) The department may adopt rules necessary to carry out
1-58 the purposes of this section, including rules to determine whether
1-59 a telematics service provider is complying with Subsection (c).

1-60 SECTION 2. (a) Not later than January 1, 2006, the
1-61 Department of Public Safety of the State of Texas shall adopt the
1-62 rules necessary to implement Section 1702.331, Occupations Code, as
1-63 added by this Act.

1-64 (b) A telematics service provider is not required to comply

2-1 with Section 1702.331, Occupations Code, before January 1, 2006.

2-2 SECTION 3. This Act takes effect September 1, 2005.

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