

By: Goodman

H.B. No. 2149

Substitute the following for H.B. No. 2149:

By: Geren

C.S.H.B. No. 2149

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to manufacturer or distributor ownership of certain bus  
3 dealerships that operate solely as dealers of buses designed for  
4 passenger use and that were owned in part by a manufacturer or  
5 distributor on or before September 1, 1999.

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

7 SECTION 1. Section 2301.476, Occupations Code, is amended  
8 by adding Subsections (j), (k), and (l) to read as follows:

9 (j) Except as provided by Subsection (k), a manufacturer or  
10 distributor may have an ownership interest of less than 35 percent  
11 in an entity that holds a general distinguishing number if the  
12 manufacturer or distributor had the ownership interest in the  
13 entity on or before September 1, 1999, and the entity:

14 (1) operates as a dealer for buses that:

15 (A) have a gross vehicle weight of at least  
16 17,500 pounds;

17 (B) are of a size and type commonly designed to  
18 carry at least 17 seated passengers, regardless of whether all  
19 particular models of the bus are actually devoted to such seating;

20 (C) are not motor homes; and

21 (D) are sold exclusively for commercial use;

22 (2) is the exclusive seller in the United States for  
23 the bus; and

24 (3) is not operated or controlled by the manufacturer

1 or distributor.

2 (k) The restrictions under Subsection (j) do not apply to a  
3 dealer entity that purchases or sells a bus described by Subsection  
4 (j) that is taken in on trade or purchased on the open market for  
5 resale.

6 (l) In Subsections (j) and (k), "bus" has the meaning  
7 assigned by Section 541.201, Transportation Code.

8 SECTION 2. This Act takes effect September 1, 2005.