

By: Ellis

S.B. No. 1082

A BILL TO BE ENTITLED

AN ACT

relating to the sale of certain used trucks.

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

SECTION 1. Section 2301.476, Occupations Code, is amended by adding a new subsection (j) to read as follows:

(j) This chapter does not prohibit a manufacturer or distributor from continuing to directly or indirectly own an interest in an independent dealer or dealership engaged in the sale of used motor vehicles if the manufacturer or distributor owned its interest in a licensed independent dealer or dealership on or before January 1, 2005 and the manufacturer's ownership and control in the dealer or dealership on or before does not increase after that date. The exception allowed by this subsection (j) only applies if the dealer or dealership is engaged in the business of selling used trucks which have a gross vehicle weight rating of 11,000 pounds or more, and does not apply to a dealer or dealership that sells new motor vehicles. This exception allows transfer or relocation of the independent dealer or dealership.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.