

BILL ANALYSIS

C.S.H.B. 3225
By: Murphy
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

ATPA was established in 1991 by the 72nd Legislature through the passage of House Bill 640. It was created to reduce vehicle theft in Texas and functions as the lead organization in a statewide network of law enforcement agencies, prosecutors, insurance industry representatives, local tax assessor-collectors, community organizations, and concerned citizen groups. It awards and monitors grants to agencies, organizations, and concerned parties in an effort to raise public awareness of vehicle theft and implement education and prevention initiatives.

The term "automobile" currently used in statute is not synonymous with the term "motor vehicle" and does not allow ATPA to pursue its anti-theft efforts on certain classes of vehicles. Current law allows ATPA to have anti-theft programs for "automobiles," which include trucks and motorcycles, but cannot include self-propelled farm and construction equipment. Changing the term "automobile" to "motor vehicle" would allow the ATPA to have additional vehicles that would be part of the authority's program, though not including a vehicle that runs exclusively on fixed rails or tracks or a piece of equipment operated solely on private property.

The current term does not mirror language used in other publications, federal reporting standards, or reporting standards by other state jurisdictions. The change in terms would allow Texas to be consistent with the Uniformed Crime Report since auto thefts are categorized as "Motor Vehicle Theft," not "Automobile."

The purpose of this bill is to replace the term "automobile" with "motor vehicle" throughout the provisions regarding the Automobile Theft Prevention Authority.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

- SECTION 1. Amends Section 1, Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle" in subdivision (2) and adds subdivision (5) to read as follows: "Motor vehicle" means a self-propelled vehicle or a vehicle, trailer, or semi-trailer designed for use with a self-propelled vehicle. The term does not include a vehicle that runs exclusively on fixed rails or tracks or a piece of equipment operated solely on private property.
- SECTION 2. Amends Section 7(b), Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle."
- SECTION 3. Amends Section 8(a), Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle."
- SECTION 4. Amends the heading to Section 9, Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle."
- SECTION 5. Amends Section 9(a) through(f), Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle."

SECTION 6. Amends Section 11, Article 4413(37), Revised Statutes by replacing the term "automobile" with "motor vehicle."

SECTION 7. Provides for September 1, 2007

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 3225 alters the original bill in Section 1 by adding Subsection (5), which defines the term "motor vehicle" as a self-propelled vehicle or a vehicle, trailer, or semi trailer designed for use with a self-propelled vehicle. The term does not include a vehicle that runs exclusively on fixed rails or tracks or a piece of equipment operated solely on private property. It also removed Subsection (g) from the bill. All other changes are non-substantive.