Senate Research Center   S.B. 1897
80R8704 JD-F   By: Carona
            Transportation & Homeland Security
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law authorizes counties to withhold motor vehicle registration due to outstanding fines, fees, or delinquent taxes. However, this system is inefficient because the Texas Department of Transportation's (TxDOT) system cannot hold remarks from more than one city or county, meaning that notation of a subsequent outstanding debts will delete a previously noted debt in the system. Changes in statutory law relating to this system may improve its efficiency and encourage more counties to participate in the system.

As proposed, S.B. 1897 requires TxDOT refuse to register a motor vehicle if TxDOT receives proper notice from a county assessor-collector that the owner of the vehicle owes the county money for a fine, fee, or tax that is past due, and provides certain procedures for the payment of such a debt.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 502.185(a) through (f), Transportation Code, as follows,

(a) Deletes existing text authorizing the Texas Department of Transportation (TxDOT) to refuse to register a motor vehicle upon receipt of information that the vehicle's owner owes the county money for a fine, fee, or tax that is past due (outstanding debt).

(b) Requires TxDOT to refuse to register a motor vehicle if TxDOT receives information from a county assessor-collector that the vehicle's owner owes the county money for an outstanding debt. Sets forth certain information required to be included on a notice received by TxDOT to be considered valid. Deletes existing text authorizing a county to contract with TxDOT to provide information to TxDOT necessary to make a determination under Subsection (a).

(c) Requires a county that has sent notice to TxDOT, rather than a county that has a contract under Subsection (b), to notify TxDOT as soon as possible if the person described in the notice pays or otherwise discharges the outstanding debt or has perfected an appeal of the case contesting payment of said debt. Deletes existing text requiring a county that has a contract under Subsection (b) to notify TxDOT regarding a person for whom the county assessor-collector or TxDOT has refused to register a motor vehicle on the person's payment or other means of discharge of the outstanding debt or perfection of an appeal of the case contesting payment of the outstanding debt. Redesignates text from existing Subsection (d). Prohibits TxDOT from refusing to register the vehicle under Subsection (b) after notice is received under this subsection.

(d) Requires the first registration renewal notice sent to a vehicle owner in connection with a vehicle described under Subsection (b) to include notice of the blocking of the vehicle's registration until the person pays or otherwise discharges the outstanding debt, to include the amount of said debt and the address to which payment of the debt can be made or sent. Deletes existing Subsection (e), requiring a contract under Subsection (b)

to be entered in accordance with certain rules and subject to the ability of the parties affected to pay the debt.

(e) Redesignates text from existing Subsection (f). Requires TxDOT to provide services by which a person is able to pay an outstanding debt by use of the Internet. Prohibits TxDOT from refusing to register a vehicle after the program pays the past due outstanding debt by means of the online service. Deletes existing text authorizing a county that has a contract to impose an additional fee to a person paying an outstanding debt after it is past due, and providing the authorized uses of the fee.

SECTION 2. Effective date: September 1, 2007.