

By: Jackson

H.B. No. 481

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of a used motor vehicle.

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

SECTION 1. Sections 520.023(a) and (c), Transportation Code, are amended to read as follows:

(a) On receipt of a written notice of transfer from the transferor of a motor vehicle, the department shall indicate the transfer on the motor vehicle records maintained by the department. As an alternative to a written notice of transfer, the department shall establish procedures that permit the transferor of a motor vehicle to electronically submit a notice of transfer to the department through the department's Internet website. A notice of transfer provided through the department's Internet website is not required to bear the signature of the transferor or include the date of signing.

(c) This subsection applies only if the department receives notice under Subsection (a) before the 30th day after the date the transferor delivered possession of the vehicle to the transferee. After the date of the transfer of the vehicle shown on the records of the department, the transferee of the vehicle shown on the records is rebuttably presumed to be:

- (1) the owner of the vehicle; and
- (2) subject to civil and criminal liability arising out of the use, operation, or abandonment of the vehicle, to the

1 extent that ownership of the vehicle subjects the owner of the  
2 vehicle to criminal or civil liability under another provision of  
3 law.

4 SECTION 2. Section 520.031, Transportation Code, is amended  
5 by adding Subsection (d) to read as follows:

6 (d) Notwithstanding Subsection (a), if the transferee is a  
7 member of the armed forces of the United States, a member of the  
8 Texas National Guard or of the National Guard of another state  
9 serving on active duty under an order of the president of the United  
10 States, or a member of a reserve component of the armed forces of  
11 the United States serving on active duty under an order of the  
12 president of the United States, the documents described by  
13 Subsection (a) must be filed with the county assessor-collector not  
14 later than the 60th working day after the date of their receipt by  
15 the transferee.

16 SECTION 3. Section 520.032, Transportation Code, is amended  
17 by amending Subsection (b) and adding Subsections (b-1) and (d) to  
18 read as follows:

19 (b) If the transferee does not file the application during  
20 the period provided by Section 520.031, the transferee is liable  
21 for a [~~\$10~~] late fee to be paid to the county assessor-collector  
22 when the application is filed. If the transferee holds a general  
23 distinguishing number issued under Chapter 503 of this code or  
24 Chapter 2301, Occupations Code, the amount of the late fee is \$10.  
25 If the transferee does not hold a general distinguishing number,  
26 subject to Subsection (b-1) the amount of the late fee is \$25.

27 (b-1) If the application is filed after the 31st working day

1 after the date the transferee received the documents under Section  
2 520.022, the late fee imposed under Subsection (b) accrues an  
3 additional penalty in the amount of \$25 for each subsequent 30-day  
4 period, or portion of a 30-day period, in which the application is  
5 not filed.

6 (d) Subsections (b) and (b-1) do not apply if the motor  
7 vehicle is eligible to be issued:

8 (1) classic vehicle license plates under Section  
9 504.501; or

10 (2) antique vehicle license plates under Section  
11 504.502.

12 SECTION 4. Section 520.033, Transportation Code, is amended  
13 by amending Subsection (a) and adding Subsection (c) to read as  
14 follows:

15 (a) The county assessor-collector may retain as commission  
16 for services provided under this subchapter half of each transfer  
17 fee collected, ~~and~~ half of each late fee, and half of each  
18 additional penalty collected under Section 520.032.

19 (c) Of each late fee collected from a person who does not  
20 hold a general distinguishing number that the department receives  
21 under Subsection (b), \$10 may be used only to fund a statewide  
22 public awareness campaign designed to inform and educate the public  
23 about the provisions of this chapter.

24 SECTION 5. The change in law made by this Act applies only  
25 to the transfer of a used motor vehicle that occurs on or after the  
26 effective date of this Act. The transfer of a used motor vehicle  
27 that occurs before the effective date of this Act is governed by the

1 law in effect at the time of the transfer, and the former law is  
2 continued in effect for that purpose.

3 SECTION 6. This Act takes effect January 1, 2008.