

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 520.032, Transportation Code, is amended
5 by amending Subsection (b) and adding Subsection (b-1) to read as
6 follows:

7 (b) If the transferee does not file the application during
8 the period provided by Section 520.031, the transferee is liable
9 for a [~~\$10~~] late fee to be paid to the county assessor-collector
10 when the application is filed. Subject to Subsection (b-1) the
11 amount of the late fee is:

12 (1) \$25, if the application is filed before the 31st
13 working day after the date the transferee received the documents
14 under Section 520.022; or

15 (2) \$100, if the application is filed on or after the
16 31st working day after the date the transferee received the
17 documents under that section but before the 61st working day after
18 that date.

19 (b-1) A late fee imposed under Subsection (b)(2) accrues an
20 additional penalty in the amount of \$25 for each subsequent 30-day
21 period, or portion of a 30-day period, in which the application is
22 not filed.

23 SECTION 3. Section 520.033, Transportation Code, is amended
24 by amending Subsection (a) and adding Subsection (c) to read as
25 follows:

26 (a) The county assessor-collector may retain as commission
27 for services provided under this subchapter half of each transfer

1 fee collected, ~~[and]~~ half of each late fee, and half of each
2 additional penalty collected under Section 520.032.

3 (c) Of each late fee the department receives under
4 Subsection (b), \$10 may be used only to fund a statewide public
5 awareness campaign designed to inform and educate the public about
6 the provisions of this chapter.

7 SECTION 4. The change in law made by this Act applies only
8 to the transfer of a used motor vehicle that occurs on or after the
9 effective date of this Act. The transfer of a used motor vehicle
10 that occurs before the effective date of this Act is governed by the
11 law in effect at the time of the transfer, and the former law is
12 continued in effect for that purpose.

13 SECTION 5. This Act takes effect January 1, 2008.