

1-1 By: Jackson (Senate Sponsor - Carona) H.B. No. 481
1-2 (In the Senate - Received from the House March 22, 2007;
1-3 April 3, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; April 20, 2007, reported
1-5 favorably by the following vote: Yeas 9, Nays 0; April 20, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the transfer of a used motor vehicle.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 520.023(a) and (c), Transportation
1-12 Code, are amended to read as follows:

1-13 (a) On receipt of a written notice of transfer from the
1-14 transferor of a motor vehicle, the department shall indicate the
1-15 transfer on the motor vehicle records maintained by the department.
1-16 As an alternative to a written notice of transfer, the department
1-17 shall establish procedures that permit the transferor of a motor
1-18 vehicle to electronically submit a notice of transfer to the
1-19 department through the department's Internet website. A notice of
1-20 transfer provided through the department's Internet website is not
1-21 required to bear the signature of the transferor or include the date
1-22 of signing.

1-23 (c) This subsection applies only if the department receives
1-24 notice under Subsection (a) before the 30th day after the date the
1-25 transferor delivered possession of the vehicle to the transferee.
1-26 After the date of the transfer of the vehicle shown on the records
1-27 of the department, the transferee of the vehicle shown on the
1-28 records is rebuttably presumed to be:

1-29 (1) the owner of the vehicle; and

1-30 (2) subject to civil and criminal liability arising
1-31 out of the use, operation, or abandonment of the vehicle, to the
1-32 extent that ownership of the vehicle subjects the owner of the
1-33 vehicle to criminal or civil liability under another provision of
1-34 law.

1-35 SECTION 2. Section 520.031, Transportation Code, is amended
1-36 by adding Subsection (d) to read as follows:

1-37 (d) Notwithstanding Subsection (a), if the transferee is a
1-38 member of the armed forces of the United States, a member of the
1-39 Texas National Guard or of the National Guard of another state
1-40 serving on active duty under an order of the president of the United
1-41 States, or a member of a reserve component of the armed forces of
1-42 the United States serving on active duty under an order of the
1-43 president of the United States, the documents described by
1-44 Subsection (a) must be filed with the county assessor-collector not
1-45 later than the 60th working day after the date of their receipt by
1-46 the transferee.

1-47 SECTION 3. Section 520.032, Transportation Code, is amended
1-48 by amending Subsection (b) and adding Subsections (b-1) and (d) to
1-49 read as follows:

1-50 (b) If the transferee does not file the application during
1-51 the period provided by Section 520.031, the transferee is liable
1-52 for a [~~\$10~~] late fee to be paid to the county assessor-collector
1-53 when the application is filed. If the transferee holds a general
1-54 distinguishing number issued under Chapter 503 of this code or
1-55 Chapter 2301, Occupations Code, the amount of the late fee is \$10.
1-56 If the transferee does not hold a general distinguishing number,
1-57 subject to Subsection (b-1) the amount of the late fee is \$25.

1-58 (b-1) If the application is filed after the 31st working day
1-59 after the date the transferee received the documents under Section
1-60 520.022, the late fee imposed under Subsection (b) accrues an
1-61 additional penalty in the amount of \$25 for each subsequent 30-day
1-62 period, or portion of a 30-day period, in which the application is
1-63 not filed.

1-64 (d) Subsections (b) and (b-1) do not apply if the motor

2-1 vehicle is eligible to be issued:

2-2 (1) classic vehicle license plates under Section
2-3 504.501; or

2-4 (2) antique vehicle license plates under Section
2-5 504.502.

2-6 SECTION 4. Section 520.033, Transportation Code, is amended
2-7 by amending Subsection (a) and adding Subsection (c) to read as
2-8 follows:

2-9 (a) The county assessor-collector may retain as commission
2-10 for services provided under this subchapter half of each transfer
2-11 fee collected, ~~and~~ half of each late fee, and half of each
2-12 additional penalty collected under Section 520.032.

2-13 (c) Of each late fee collected from a person who does not
2-14 hold a general distinguishing number that the department receives
2-15 under Subsection (b), \$10 may be used only to fund a statewide
2-16 public awareness campaign designed to inform and educate the public
2-17 about the provisions of this chapter.

2-18 SECTION 5. The change in law made by this Act applies only
2-19 to the transfer of a used motor vehicle that occurs on or after the
2-20 effective date of this Act. The transfer of a used motor vehicle
2-21 that occurs before the effective date of this Act is governed by the
2-22 law in effect at the time of the transfer, and the former law is
2-23 continued in effect for that purpose.

2-24 SECTION 6. This Act takes effect January 1, 2008.

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