

By: Goolsby

H.B. No. 526

Substitute the following for H.B. No. 526:

By: Macias

C.S.H.B. No. 526

A BILL TO BE ENTITLED

AN ACT

relating to the denial of vehicle registration for failure to pay parking tickets.

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

SECTION 1. Subtitle I, Title 7, Transportation Code, is amended by adding Chapter 707 to read as follows:

CHAPTER 707. DENIAL OF VEHICLE REGISTRATION FOR FAILURE TO PAY

MUNICIPAL PARKING FINES

Sec. 707.001. DEFINITIONS. In this chapter:

(1) "Department" means the Texas Department of Transportation.

(2) "Registration" of a motor vehicle includes a renewal of the registration of that vehicle.

Sec. 707.002. CONTRACT WITH COUNTY OR DEPARTMENT. (a) A municipality may contract with a county in which the municipality is located or with the department to provide information necessary for the county or department to deny registration of a motor vehicle if the owner of the vehicle has an unpaid fine for a violation of an ordinance of the municipality regulating the parking, standing, or stopping of a vehicle.

(b) A contract under this section:

(1) must be made in accordance with Chapter 791, Government Code; and

(2) is subject to the ability of the parties to provide

1 or pay for the services required under the contract.

2 Sec. 707.003. WARNING; CITATION. (a) If a municipality  
3 makes a contract under this chapter, a citation for a violation of  
4 an ordinance of the municipality regulating the parking, standing,  
5 or stopping of a vehicle must include a written warning.

6 (b) The warning required by this section must state that if  
7 the person fails to pay a fine associated with the violation, the  
8 person may be denied registration of any motor vehicle owned by the  
9 person.

10 (c) The warning required by this section may be printed on  
11 the citation.

12 Sec. 707.004. REFUSAL TO REGISTER VEHICLE. (a) If a  
13 municipality has contracted with a county or the department, a  
14 county assessor-collector or the department may deny registration  
15 of a motor vehicle if the assessor-collector or the department  
16 receives information from a municipality that the owner of the  
17 vehicle has an unpaid fine for a violation of an ordinance of the  
18 municipality regulating the parking, standing, or stopping of a  
19 vehicle.

20 (b) A municipality may report an unpaid fine for a violation  
21 of an ordinance of the municipality under this section only if:

22 (1) the fine is past due;

23 (2) the person failed to make a timely challenge to the  
24 imposition of the fine;

25 (3) the person owes the municipality more than \$100 in  
26 the aggregate in past due fines, including the fine for which a  
27 report is made, for violations of ordinances of the municipality

1 regulating the parking, standing, or stopping of a vehicle; and

2 (4) the municipality has sent a notice to the person by  
3 first-class mail indicating the person may be denied registration  
4 of a motor vehicle owned by the person for past due fines.

5 (c) A municipality may not report an unpaid fine for a  
6 violation of an ordinance of the municipality under this section if  
7 a registered owner who is the rental owner or lessor of a vehicle,  
8 not later than the 30th day after the date the notice required under  
9 Subsection (b)(4) is mailed, provides to the authority a copy of the  
10 rental, lease, or other contract document covering the vehicle on  
11 the date of the violation of the municipal ordinance. The name and  
12 address of the lessee must be clearly legible.

13 (d) If an unpaid fine is successfully challenged under  
14 Subsection (c) by a lessor or rental owner, the lessee of the  
15 vehicle on the date of the violation is considered to be the owner  
16 of the vehicle for purposes of this section.

17 (e) This section does not apply to a vehicle transferred to,  
18 or owned or transferred by, a dealer as defined by Section 503.001.

19 Sec. 707.005. NOTICE TO COUNTY OR DEPARTMENT. A municipality  
20 shall notify the county or the department that there is no cause to  
21 continue to deny registration of a motor vehicle owned by a person  
22 based on the person's failure to pay a fine for a violation of an  
23 ordinance of the municipality regulating the parking, standing, or  
24 stopping of a vehicle on:

25 (1) the person's payment of all unpaid fines to the  
26 municipality and any late fees associated with those fines; or

27 (2) dismissal of the unpaid fines by the municipality.

1           SECTION 2. (a) The change in law made by this Act applies  
2 only to the violation of a municipal ordinance regulating the  
3 parking, standing, or stopping of a vehicle that occurs on or after  
4 the effective date of this Act. A violation of a municipal  
5 ordinance regulating the parking, standing, or stopping of a  
6 vehicle that occurs before the effective date of this Act is  
7 governed by the law in effect when the violation occurs, and the  
8 current law is continued in effect for that purpose.

9           (b) For purposes of this section, a violation is committed  
10 before the effective date of this Act if any element of the  
11 violation occurs before that date.

12           SECTION 3. This Act takes effect September 1, 2007.