

By: Harless

H.B. No. 2652

A BILL TO BE ENTITLED

AN ACT

relating to application of certain law relating to the regulation of certain motor vehicle manufacturers, converters, distributors, and dealers and enforcement of motor vehicle warranties.

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

SECTION 1. Sections 2301.002(23) and (32), Occupations Code, are amended to read as follows:

(23) "Motor vehicle" means:

(A) a fully self-propelled vehicle having two or more wheels that has as its primary purpose the transport of a person or persons, or property, on a public highway;

(B) a fully self-propelled vehicle having two or more wheels that:

(i) has as its primary purpose the transport of a person or persons or property;

(ii) is not manufactured for use on public streets, roads, or highways; and

(iii) is eligible for issuance of ~~[has been issued]~~ a certificate of title;

(C) an engine, transmission, or rear axle, regardless of whether attached to a vehicle chassis, manufactured for installation in a vehicle that has:

(i) the transport of a person or persons, or property, on a public highway as its primary purpose; and

(ii) a gross vehicle weight rating of more than 16,000 pounds; or

(D) a towable recreational vehicle.

(32) "Towable recreational vehicle" means a nonmotorized camper trailer ~~[vehicle]~~ that:

(A) is less than eight feet wide or 40 feet long, not including any hitch installed on the vehicle;

(B) is ~~[was—originally]~~ designed ~~[and manufactured]~~ primarily for use as ~~[to provide]~~ temporary living quarters ~~[human habitation]~~ in connection ~~[conjunction]~~ with recreational, camping, or seasonal use and not as a permanent dwelling;

~~[(B) is titled and registered with the department as a travel trailer through a county tax assessor-collector;]~~

(C) is not a utility trailer, enclosed trailer, or other trailer that does not have human habitation as its primary purpose ~~[permanently built on a single chassis;~~

~~[(D) contains at least one life support system];~~

and

(D) ~~[(E)]~~ is designed to be towable by a motor vehicle.

SECTION 2. Section 2301.601(2), Occupations Code, is amended to read as follows:

(2) "Owner" means a person who:

(A) purchased a motor vehicle at retail from a license holder ~~[and is entitled to enforce a manufacturer's warranty with respect to the vehicle];~~

1 (B) is a lessor or lessee, other than a
2 sublessee, who purchased or leased the vehicle from a license
3 holder; ~~[or]~~

4 (C) purchased at retail or leased a motor vehicle
5 and has the motor vehicle registered in ~~[is the transferee or~~
6 ~~assignee of a person described by Paragraph (A) or (B), a resident~~
7 ~~of]~~ this state;

8 (D) is an active duty member of the United States
9 armed forces who is stationed in this state or was stationed in this
10 state at the time of the commencement of a proceeding under this
11 subchapter who purchased at retail or leased a motor vehicle; or

12 (E) is the transferee or assignee of a person
13 described by this subdivision and a resident of this state ~~[, and~~
14 ~~entitled to enforce the manufacturer's warranty]~~.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2007.