

By: Harless

H.B. No. 2652

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the resolution of complaints and claims concerning the  
3 conformance of certain motor vehicles with applicable warranties.

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

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

7 (23) "Motor vehicle" means:

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

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

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

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

17 (iii) is capable of being issued [~~has been~~  
18 ~~issued~~] a certificate of title;

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

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

24 (ii) a gross vehicle weight rating of more

1 than 16,000 pounds; or

2 (D) a towable recreational vehicle.

3 (32) "Towable recreational vehicle" means a  
4 nonmotorized vehicle that:

5 (A) is a camper trailer that is:

6 (i) less than eight feet in width or 40 feet  
7 in length, exclusive of any hitch installed on the vehicle; and

8 (ii) designed primarily for use as  
9 temporary living quarters in connection with recreational,  
10 camping, travel, or seasonal use and not as a permanent dwelling  
11 ~~[was originally designed and manufactured primarily to provide~~  
12 ~~temporary human habitation in conjunction with recreational,~~  
13 ~~camping, or seasonal use];~~

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

16 ~~[(C) is permanently built on a single chassis,]~~

17 ~~[(D) contains at least one life support system,~~  
18 ~~and]~~

19 ~~[(E)]~~ is designed to be towable by a motor  
20 vehicle; and

21 (C) is not a utility trailer, enclosed trailer,  
22 or other trailer not having human habitation as its primary  
23 purpose.

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

26 (2) "Owner" means a person who:

27 (A) purchased a motor vehicle at retail from a

1 license holder [~~and is entitled to enforce a manufacturer's~~  
2 ~~warranty with respect to the vehicle~~];

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

6 (C) purchased at retail or leased a motor vehicle  
7 and currently has the vehicle registered in this state;

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

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

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