

By: Murphy

H.B. No. 3225

Substitute the following for H.B. No. 3225:

By: Deshotel

C.S.H.B. No. 3225

A BILL TO BE ENTITLED

AN ACT

1 relating to the scope of authority of the Automobile Theft  
2 Prevention Authority.  
3

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

5 SECTION 1. Section 1, Article 4413(37), Revised Statutes,  
6 is amended by amending Subdivision (2) and adding Subdivision (5)  
7 to read as follows:

8 (2) "Economic motor vehicle [~~automobile~~] theft" means  
9 motor vehicle [~~automobile~~] theft committed for financial gain.

10 (5) "Motor vehicle" means a self-propelled vehicle or  
11 a vehicle, trailer, or semitrailer designed for use with a  
12 self-propelled vehicle. The term does not include a vehicle that  
13 runs exclusively on fixed rails or tracks or a piece of equipment  
14 operated solely on private property.

15 SECTION 2. Section 7(b), Article 4413(37), Revised  
16 Statutes, is amended to read as follows:

17 (b) The plan of operation must include:

18 (1) an assessment of the scope of the problems of motor  
19 vehicle [~~automobile~~] theft and economic motor vehicle [~~automobile~~]  
20 theft, including particular areas of the state where the problems  
21 are greatest;

22 (2) an analysis of various methods of combating the  
23 problems of motor vehicle [~~automobile~~] theft and economic motor  
24 vehicle [~~automobile~~] theft;

1           (3) a plan for providing financial support to combat  
2 motor vehicle [~~automobile~~] theft and economic motor vehicle  
3 [~~automobile~~] theft; and

4           (4) an estimate of the funds required to implement the  
5 plan of operation.

6           SECTION 3. Section 8(a), Article 4413(37), Revised  
7 Statutes, is amended to read as follows:

8           (a) Money appropriated to the department for authority  
9 purposes shall be used by the authority to pay the department for  
10 administrative costs and to achieve the purposes of this article,  
11 including:

12           (1) establishing and funding the motor vehicle  
13 [~~automobile~~] registration program required by Section 9 of this  
14 article;

15           (2) providing financial support to law enforcement  
16 agencies for economic motor vehicle [~~automobile~~] theft enforcement  
17 teams;

18           (3) providing financial support to law enforcement  
19 agencies, local prosecutors, judicial agencies, and neighborhood,  
20 community, business, and nonprofit organizations for programs  
21 designed to reduce the incidence of economic motor vehicle  
22 [~~automobile~~] theft;

23           (4) conducting educational programs designed to  
24 inform motor vehicle [~~automobile~~] owners of methods of preventing  
25 motor vehicle [~~automobile~~] theft;

26           (5) providing equipment, for experimental purposes,  
27 to assist motor vehicle [~~automobile~~] owners in preventing motor

1 vehicle [~~automobile~~] theft; and

2 (6) establishing a uniform program to prevent stolen  
3 motor vehicles from entering Mexico.

4 SECTION 4. The heading to Section 9, Article 4413(37),  
5 Revised Statutes, is amended to read as follows:

6 Sec. 9. MOTOR VEHICLE [~~AUTOMOBILE~~] REGISTRATION PROGRAM.

7 SECTION 5. Sections 9(a) through (f), Article 4413(37),  
8 Revised Statutes, are amended to read as follows:

9 (a) The authority shall develop a statewide motor vehicle  
10 [~~automobile~~] registration program to be administered by the  
11 Department of Public Safety.

12 (b) The authority shall identify a period of the day during  
13 which most motor vehicles [~~automobiles~~] are not used. An owner of a  
14 motor vehicle [~~an automobile~~] that does not usually use the motor  
15 vehicle [~~automobile~~] during that period may register the motor  
16 vehicle [~~automobile~~] with the Department of Public Safety in  
17 accordance with the program developed by the authority.

18 (c) The authority shall develop a form for registration of  
19 a motor vehicle [~~an automobile~~] under the program. The form shall  
20 advise the owner of the motor vehicle [~~automobile~~] of the  
21 provisions of Subsection (f) of this section. A motor vehicle [~~An~~  
22 ~~automobile~~] may not be registered under the program unless the  
23 owner consents to the provisions of Subsection (f) of this section.

24 (d) The program must provide a method for an owner to  
25 withdraw a motor vehicle [~~an automobile~~] from the program. The  
26 program may not require owners of motor vehicles [~~automobiles~~] to  
27 participate in the program.

1 (e) The department shall issue to the owner of a motor  
2 vehicle [~~an automobile~~] registered under this section a decal or  
3 other appropriate identifying marker to be affixed to the motor  
4 vehicle [~~automobile~~] to indicate that the motor vehicle  
5 [~~automobile~~] is registered with the program.

6 (f) A peace officer who observes a registered motor vehicle  
7 [~~automobile~~] that is being operated during the period of the day  
8 identified by the authority under Subsection (b) of this section  
9 may stop the motor vehicle [~~automobile~~] to determine whether the  
10 motor vehicle [~~automobile~~] is being operated by the owner or with  
11 the owner's permission.

12 SECTION 6. Section 11, Article 4413(37), Revised Statutes,  
13 is amended to read as follows:

14 Sec. 11. PERFORMANCE REVIEW. (a) In this section, "motor  
15 vehicle theft rate" [~~"automobile theft rate"~~] means the ratio of  
16 motor vehicle [~~automobile~~] thefts in this state to the number of  
17 motor vehicles [~~automobiles~~] in this state. The ratio shall be  
18 based on statistical information provided by the Department of  
19 Public Safety's uniform crime reporting division.

20 (b) The authority shall determine the motor vehicle  
21 [~~automobile~~] theft rate as of the date a majority of the members of  
22 the authority are appointed and have qualified for office and shall  
23 report the rate to the lieutenant governor and the speaker of the  
24 house of representatives. The report required by this subsection  
25 shall be made not later than 30 days after the date on which a  
26 majority of the initial members of the authority are appointed and  
27 have qualified for office.

1 SECTION 7. This Act takes effect September 1, 2007.