

By: Murphy

H.B. No. 3225

A BILL TO BE ENTITLED

AN ACT

relating to the Automobile Theft Prevention Authority.

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

SECTION 1. Section (2), Article 4413(37), Revised Statutes, are to read as follows:

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

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

(b) The plan of operation must include:

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

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

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

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

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

1 (a) Money appropriated to the department for authority  
2 purposes shall be used by the authority to pay the department for  
3 administrative costs and to achieve the purposes of this article,  
4 including:

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

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

9 (3) providing financial support to law enforcement  
10 agencies, local prosecutors, judicial agencies, and neighborhood,  
11 community, business, and nonprofit organizations for programs  
12 designed to reduce the incidence of economic motor vehicle  
13 [~~automobile~~] theft;

14 (4) conducting educational programs designed to inform  
15 motor vehicle [~~automobile~~] owners of methods of preventing motor  
16 vehicle [~~automobile~~] theft;

17 (5) providing equipment, for experimental purposes, to  
18 assist motor vehicle [~~automobile~~] owners in preventing motor  
19 vehicle [~~automobile~~] theft; and

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

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

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

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

1 (b) The authority shall identify a period of the day during  
2 which most motor vehicles [~~automobiles~~] are not used. An owner of a  
3 motor vehicle [~~an automobile~~] that does not usually use the motor  
4 vehicle [~~automobile~~] during that period may register the motor  
5 vehicle [~~automobile~~] with the Department of Public Safety in  
6 accordance with the program developed by the authority.

7 (c) The authority shall develop a form for registration of a  
8 motor vehicle [~~an automobile~~] under the program. The form shall  
9 advise the owner of the motor vehicle [~~automobile~~] of the  
10 provisions of Subsection (f) of this section. A motor vehicle [~~An~~  
11 ~~automobile~~] may not be registered under the program unless the  
12 owner consents to the provisions of Subsection (f) of this section.

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

17 (e) The department shall issue to the owner of a motor  
18 vehicle [~~an automobile~~] registered under this section a decal or  
19 other appropriate identifying marker to be affixed to the motor  
20 vehicle [~~automobile~~] to indicate that the motor vehicle  
21 [~~automobile~~] is registered with the program.

22 (f) A peace officer who observes a registered motor vehicle  
23 [~~automobile~~] that is being operated during the period of the day  
24 identified by the authority under Subsection (b) of this section  
25 may stop the motor vehicle [~~automobile~~] to determine whether the  
26 motor vehicle [~~automobile~~] is being operated by the owner or with  
27 the owner's permission.

1 (g) The Department of Public Safety shall adopt rules to  
2 administer the program and shall adopt fees in an amount sufficient  
3 to recover the cost of administering the program.

4 SECTION 5. Section 11, Article 4413(37), Revised Statutes  
5 is amended to read as follows:

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

12 (b) The authority shall determine the motor vehicle  
13 [~~automobile~~] theft rate as of the date a majority of the members of  
14 the authority are appointed and have qualified for office and shall  
15 report the rate to the lieutenant governor and the speaker of the  
16 house of representatives. The report required by this subsection  
17 shall be made not later than 30 days after the date on which a  
18 majority of the initial members of the authority are appointed and  
19 have qualified for office.

20 SECTION 6. This Act takes effect September 1, 2007.