

1-1 By: Carona S.B. No. 1897
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 25, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 April 25, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1897 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the authority of the Texas Department of Transportation
1-11 to refuse to register a motor vehicle in certain circumstances.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 502.185, Transportation Code, is amended
1-14 to read as follows:

1-15 Sec. 502.185. REFUSAL TO REGISTER CERTAIN VEHICLES ~~[VEHICLE~~
1-16 ~~IN CERTAIN COUNTIES]~~. (a) A county may enter into a contract with
1-17 [assessor-collector or] the department under which the department
1-18 shall [may] refuse to register a motor vehicle if the
1-19 assessor-collector for that county notifies [or] the department
1-20 [receives information] that the owner of the vehicle owes the
1-21 county money for a fine, fee, or tax that is past due.

1-22 (b) The [A county may contract with the] department shall
1-23 refuse to register a motor vehicle if the department has received
1-24 from the assessor-collector for a county that has entered into a
1-25 contract with [to provide information to] the department [necessary
1-26 to make a determination] under Subsection (a) notice that the owner
1-27 of the vehicle owes the county money for a fine, fee, or tax that is
1-28 past due. To be valid, the notice must include:

1-29 (1) the name of the owner and the license number or
1-30 vehicle identification number of the vehicle;

1-31 (2) the amount of each fine, fee, or tax that is past
1-32 due;

1-33 (3) the name of the entity to which each fine, fee, or
1-34 tax is due; and

1-35 (4) the address of the office where payment of each
1-36 fine, fee, or tax can be made or sent and the telephone number for
1-37 that office.

1-38 (c) On receipt of notice that complies with Subsection (b),
1-39 the department shall notify the owner of the vehicle, in writing, of
1-40 the department's refusal under this section to register the
1-41 vehicle. The department shall include with the notice to the owner
1-42 a copy of the notice received from the county assessor-collector
1-43 under Subsection (b) or a statement that includes the information
1-44 listed in Subsections (b)(1)-(4). The notice must state that the
1-45 department will continue to refuse to register the vehicle until
1-46 the owner pays or otherwise discharges each fine, fee, or tax due
1-47 the county.

1-48 (d) A county assessor-collector who [that] has sent a notice
1-49 to the department [contract] under Subsection (b) shall notify the
1-50 department not later than the third business day after the date the
1-51 person [regarding a person for whom the county assessor-collector
1-52 or the department has refused to register a motor vehicle on]:

1-53 (1) makes [the person's] payment or other means of
1-54 discharge of the past due fine, fee, or tax; or

1-55 (2) perfects [perfection of] an appeal of the case
1-56 contesting payment of the fine, fee, or tax.

1-57 (e) [(-d)] After notice is received under Subsection (d),
1-58 [(-c), the county assessor-collector or] the department may not
1-59 refuse to register the motor vehicle under Subsection (b) [(-a)].

1-60 (f) The department may enter into a [(-e) A] contract with a
1-61 private vendor to implement this section [under Subsection (b) must
1-62 be entered into in accordance with Chapter 791, Government Code,
1-63 and is subject to the ability of the parties to provide or pay for

2-1 ~~the services required under the contract].~~
2-2 (g) [~~(f)~~] A county that has entered into a contract under
2-3 Subsection (a) [~~(b)~~] may impose an additional fee on [~~to~~] a person
2-4 paying a fine, fee, or tax to the county after the date the county
2-5 assessor-collector sends notice to the department under Subsection
2-6 (b) [it is past due]. The amount of the additional fee must be
2-7 reasonable. Each additional fee collected by a county shall be sent
2-8 to the department for deposit to the credit of the state highway
2-9 fund and [may be] used only to reimburse the department for its
2-10 expenses for providing services under the contract.

2-11 (h) [~~(g)~~] In this section:
2-12 (1) a fine, fee, or tax is considered past due if it is
2-13 unpaid 90 or more days after the date it is due; and

2-14 (2) registration of a motor vehicle includes renewal
2-15 of the registration of the vehicle.

2-16 (i) [~~(h)~~] This section does not apply to the registration of
2-17 a motor vehicle under Section 501.0234.

2-18 SECTION 2. An existing contract entered into by a county and
2-19 the Texas Department of Transportation under Section 502.185,
2-20 Transportation Code, as that section existed immediately before the
2-21 effective date of this Act, automatically terminates on the
2-22 effective date of this Act.

2-23 SECTION 3. This Act takes effect September 1, 2010.

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