

BILL ANALYSIS

H.B. 2530
By: Harless
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under provisions relating to the enforcement of traffic laws by a photographic traffic signal enforcement system (red light camera), a county tax assessor-collector may refuse to register a vehicle for which a red light camera violation has been issued if the fine is unpaid. When such a vehicle is sold, the new owner has no way of knowing about the hidden lien on the vehicle created by those provisions.

Licensed motor vehicle dealers in Texas are charged by state law with handling the transfer of vehicles they sell to consumers. Should a dealer take a vehicle in trade or purchase a vehicle at the third or a subsequent sale of the vehicle and then attempt to file the transfer of title and registration application, the dealer could be forced to pay a fine for a prior owner in order to meet the state requirement to transfer title and registration to the retail purchaser. Preventing dealer transfers from being blocked by the indebtedness of a prior owner would allow the transfer to take place and state sales tax to be collected.

H.B. 2530 specifies that the authority of a county assessor-collector or the Texas Department of Transportation to refuse to register certain vehicles under the enforcement provision of the law relating to red light cameras does not apply to the registration of a motor vehicle by a vehicle dealer.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2530 amends the Transportation Code to specify that the authority of a county assessor-collector or the Texas Department of Transportation to refuse to register a motor vehicle alleged to have been involved in a violation of the law relating to a photographic traffic signal enforcement system if the owner of the vehicle is delinquent in the payment of a civil penalty imposed under that law does not apply to the registration of a motor vehicle by a vehicle dealer.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.