

BILL ANALYSIS

C.S.H.B. 2389
By: Fletcher
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Legislation enacted more than a decade ago sought to curb increasing instances of fraudulent automobile title transfers and registrations by unregulated title services by establishing licensing requirements for an individual engaged in motor vehicle titles services. Currently, a foreign national seeking a vehicle registration in Texas will often provide a form of identification called a Matricula Consular ID card, rather than a driver's license, to meet such requirements. Concerned parties report that these documents are not secure and may have been obtained with false information, as supporting documents for the card are not always authenticated. C.S.H.B. 2389 seeks to further prevent motor vehicle titles and registrations from being fraudulently obtained by requiring a motor vehicle title service license holder to identify a customer with a valid identification document.

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

C.S.H.B. 2389 amends the Transportation Code to require a motor vehicle title service license holder to identify each customer through a valid identification document and defines "valid identification document" as a document that contains an identifiable photograph with information concerning a particular individual that is of a type of document intended or commonly accepted for the purpose of identification of an individual and is issued by an agency or institution of the federal government or an agency, institution, or political subdivision of the state or another state. The bill makes conforming changes in provisions specifying the information required to be included in the records of such a license holder.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2389 differs from the original by requiring a motor vehicle title service license holder to identify each customer through a valid identification document, whereas the original requires such identification through a valid driver's license. The substitute contains a provision not included in the original defining "valid identification document" and omits a provision included in the original defining "valid driver's license." The substitute differs from the original in nonsubstantive ways by conforming to certain bill drafting conventions.