

SB BILL ANALYSIS

S.B. 1386
By: Lucio
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current statute a county assessor-collector may refuse to register a motor vehicle if the owner owes the county money for a fine, fee, or tax that is past due.

S.B. 1386 amends the Transportation Code to include failure to appear in connection with traffic citations as a reason for which an assessor-collector may refuse to register a motor vehicle. Additionally, a county may contract with the county assessor-collector to provide information to the Texas Department of Motor Vehicles (TxDMV) to make a determination on registration refusal. A fee of \$20 may be imposed to reimburse TxDMV or the county assessor-collector for expenses related to this act.

S.B. 1386 amends current law relating to the refusal to register motor vehicles by a county assessor-collector or the Texas Department of Motor Vehicles.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 502.185, Transportation Code, by amending Subsections (a), (b), and (f) and adding Subsection (f-1), as follows:

(a) Authorizes a county assessor-collector or the Texas Department of Motor Vehicles (TxDMV) to refuse to register a motor vehicle if the assessor-collector or TxDMV receives information that the owner of the vehicle:

(1) owes the county money for a fine, fee, or tax that is past due; or

(2) failed to appear in connection with a complaint or citation relating to a county fine, fee, or tax.

(b) Authorizes a county to contract with TxDMV or the county assessor-collector to provide information to TxDMV or the assessor-collector necessary to make a determination under Subsection (a).

(f) Authorizes a county that has a contract under Subsection (b) to impose an additional fee of \$20 to:

(1) a person who fails to pay a fine, fee, or tax to the county by the date on which the fine, fee, or tax is due; or

(2) a person who fails to appear in connection with a complaint or citation relating to a county fine, fee, or tax.

(f-1) Creates this subsection from existing text. Authorizes the additional fee to be used only to reimburse TxDMV or the county assessor-collector for its expenses for providing services under the contract.

SECTION 2. Amends Section 702.003, Transportation Code, by amending Subsections (b) and (c) and adding Subsection (e-1), as follows:

(b) Authorizes a municipality to contract with the assessor-collector for the county, rather than with a county, in which the municipality is located or TxDMV to provide information to the county assessor-collector or TxDMV necessary to make a determination under Subsection (a).

(c) Makes a conforming change.

(e-1) Authorizes a municipality that has a contract under Subsection (b) to impose an additional \$20 fee to a person who has an outstanding warrant from the municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law. Authorizes the additional fee to be used only to reimburse TxDMV or the county assessor-collector for its expenses for providing services under the contract.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.

EFFECTIVE DATE

September 1, 2011.