

1-1 By: McClendon, Pickett, Harper-Brown H.B. No. 2017  
1-2 (Senate Sponsor - Williams)  
1-3 (In the Senate - Received from the House April 26, 2011;  
1-4 April 27, 2011, read first time and referred to Committee on  
1-5 Transportation and Homeland Security; May 19, 2011, reported  
1-6 adversely, with favorable Committee Substitute by the following  
1-7 vote: Yeas 6, Nays 0; May 19, 2011, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 2017 By: Williams

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to the organization, governance, duties, and functions of  
1-12 the Texas Department of Motor Vehicles.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 2301.002, Occupations Code, is amended  
1-15 by adding Subdivisions (1-a) and (14-a) and amending Subdivisions  
1-16 (11), (16), (23), and (32) to read as follows:

1-17 (1-a) "Ambulance manufacturer" means a person other  
1-18 than the manufacturer of a motor vehicle chassis who, before the  
1-19 retail sale of the motor vehicle, performs modifications on the  
1-20 chassis that result in the finished product being classified as an  
1-21 ambulance.

1-22 (11) "Distributor" means a person, other than a  
1-23 manufacturer, who:

1-24 (A) distributes or sells new motor vehicles to a  
1-25 franchised dealer; or

1-26 (B) enters into franchise agreements with  
1-27 franchised dealers, on behalf of the manufacturer.

1-28 (14-a) "Fire-fighting vehicle manufacturer" means a  
1-29 person other than the manufacturer of a motor vehicle chassis who,  
1-30 before the retail sale of the motor vehicle, performs modifications  
1-31 on the chassis that result in the finished product being classified  
1-32 as a fire-fighting vehicle.

1-33 (16) "Franchised dealer" means a person who:

1-34 (A) holds a franchised motor vehicle dealer's  
1-35 license issued by the board under this chapter and Chapter 503,  
1-36 Transportation Code; and

1-37 (B) is engaged in the business of buying,  
1-38 selling, or exchanging new motor vehicles and servicing or  
1-39 repairing motor vehicles under a manufacturer's warranty at an  
1-40 established and permanent place of business under a franchise in  
1-41 effect with a manufacturer or distributor.

1-42 (23) "Motor vehicle" means:

1-43 (A) a fully self-propelled vehicle having two or  
1-44 more wheels that has as its primary purpose the transport of a  
1-45 person or persons, or property, on a public highway;

1-46 (B) a fully self-propelled vehicle having two or  
1-47 more wheels that:

1-48 (i) has as its primary purpose the  
1-49 transport of a person or persons or property;

1-50 (ii) is not manufactured for use on public  
1-51 streets, roads, or highways; and

1-52 (iii) meets the requirements for ~~has been~~  
1-53 ~~issued~~ a certificate of title;

1-54 (C) an engine, transmission, or rear axle,  
1-55 regardless of whether attached to a vehicle chassis, manufactured  
1-56 for installation in a vehicle that has:

1-57 (i) the transport of a person or persons, or  
1-58 property, on a public highway as its primary purpose; and

1-59 (ii) a gross vehicle weight rating of more  
1-60 than 16,000 pounds; or

1-61 (D) a towable recreational vehicle.

1-62 (32) "Towable recreational vehicle" means a  
1-63 nonmotorized vehicle that:

2-1 (A) was originally designed and manufactured  
2-2 primarily to provide temporary human habitation in conjunction with  
2-3 recreational, camping, or seasonal use;

2-4 (B) meets the requirements to be issued a  
2-5 certificate of title and registration by [is titled and registered  
2-6 with] the department as a travel trailer through a county tax  
2-7 assessor-collector;

2-8 (C) is permanently built on a single chassis;  
2-9 (D) contains at least one life support system;

2-10 and

2-11 (E) is designed to be towable by a motor vehicle.

2-12 SECTION 2. Section 2301.153(a), Occupations Code, is  
2-13 amended to read as follows:

2-14 (a) Notwithstanding any other provision of law, the board  
2-15 has all powers necessary, incidental, or convenient to perform a  
2-16 power or duty expressly granted under this chapter, including the  
2-17 power to:

2-18 (1) initiate and conduct proceedings, investigations,  
2-19 or hearings;

2-20 (2) administer oaths;

2-21 (3) receive evidence and pleadings;

2-22 (4) issue subpoenas to compel the attendance of any  
2-23 person;

2-24 (5) order the production of any tangible property,  
2-25 including papers, records, or other documents;

2-26 (6) make findings of fact on all factual issues  
2-27 arising out of a proceeding initiated under this chapter;

2-28 (7) specify and govern appearance, practice, and  
2-29 procedures before the board;

2-30 (8) adopt rules and issue conclusions of law and  
2-31 decisions, including declaratory decisions or orders;

2-32 (9) enter into contracts;

2-33 (10) execute instruments;

2-34 (11) retain counsel;

2-35 (12) use the services of the attorney general and  
2-36 institute and direct the conduct of legal proceedings in any forum;

2-37 (13) obtain other professional services as necessary  
2-38 and convenient;

2-39 (14) impose a sanction for contempt;

2-40 (15) assess and collect fees and costs, including  
2-41 attorney's fees;

2-42 (16) issue, suspend, or revoke licenses;

2-43 (17) prohibit and regulate acts and practices in  
2-44 connection with the distribution and sale of motor vehicles or  
2-45 warranty performance obligations;

2-46 (18) issue cease and desist orders in the nature of  
2-47 temporary or permanent injunctions;

2-48 (19) impose a civil penalty;

2-49 (20) enter an order requiring a person to:

2-50 (A) repurchase property under Section 2301.465  
2-51 and pay costs and expenses of a party in connection with an order  
2-52 entered under that section [Section 2301.465];

2-53 (B) perform an act other than the payment of  
2-54 money; or

2-55 (C) refrain from performing an act; and

2-56 (21) enforce a board order.

2-57 SECTION 3. Section 2301.154, Occupations Code, is amended  
2-58 to read as follows:

2-59 Sec. 2301.154. DELEGATION OF POWERS. (a) The director may  
2-60 delegate any of the director's powers to one or more of the  
2-61 division's employees.

2-62 (b) The board by rule may delegate any power relating to a  
2-63 contested case hearing, other than the power to issue a final order,  
2-64 to:

2-65 (1) one or more of the board's members;

2-66 (2) the executive director;

2-67 (3) the director; or

2-68 (4) one or more of the department's employees.

2-69 (c) The board by rule may delegate the authority to issue a

3-1 final order in a contested case hearing to:  
3-2 (1) one or more of the board's members;  
3-3 (2) the executive director; or  
3-4 (3) the director of a division within the department  
3-5 designated by the board or the executive director to carry out the  
3-6 requirements of this chapter.

3-7 (d) The board by rule may delegate any power relating to a  
3-8 complaint investigation to any person employed by the department.

3-9 SECTION 4. Section 2301.252(b), Occupations Code, is  
3-10 amended to read as follows:

3-11 (b) For purposes of this section:

3-12 (1) the make of a conversion~~[, ambulance, or~~  
3-13 ~~fire-fighting vehicle]~~ is that of the chassis manufacturer; ~~[and]~~

3-14 (2) the make of a motor home is that of the motor home  
3-15 manufacturer;

3-16 (3) the make of an ambulance is that of the ambulance  
3-17 manufacturer; and

3-18 (4) the make of a fire-fighting vehicle is that of the  
3-19 fire-fighting vehicle manufacturer.

3-20 SECTION 5. Sections 2301.257(a), (b), and (c), Occupations  
3-21 Code, are amended to read as follows:

3-22 (a) An application for a dealer's license must be on a form  
3-23 prescribed by the department ~~[board]~~. The application must  
3-24 include:

3-25 (1) the information required by Chapter 503,  
3-26 Transportation Code; and

3-27 (2) information relating to the applicant's financial  
3-28 resources, business integrity, business ability and experience,  
3-29 franchise if applicable, physical facilities, vehicle inventory,  
3-30 and other factors the department ~~[board]~~ considers necessary to  
3-31 determine the applicant's qualifications to adequately serve the  
3-32 public.

3-33 (b) If a material change occurs in the information included  
3-34 in an application for a dealer's license, the dealer shall notify  
3-35 the department ~~[director]~~ of the change within a reasonable  
3-36 time. The department ~~[director]~~ shall prescribe a form for the  
3-37 disclosure of the change.

3-38 (c) A franchised dealer must apply for a separate license  
3-39 under this section for each separate and distinct dealership  
3-40 showroom as determined by the department ~~[board]~~. Before changing  
3-41 a location, a dealer must obtain a new license for that location.

3-42 SECTION 6. Section 2301.258, Occupations Code, is amended  
3-43 to read as follows:

3-44 Sec. 2301.258. GENERAL REQUIREMENTS FOR APPLICATION FOR  
3-45 MANUFACTURER'S, DISTRIBUTOR'S, CONVERTER'S, OR REPRESENTATIVE'S  
3-46 LICENSE. An application for a manufacturer's, distributor's,  
3-47 converter's, or representative's license must be on a form  
3-48 prescribed by the department ~~[board]~~. The application must include  
3-49 information the department ~~[board]~~ determines necessary to fully  
3-50 determine the qualifications of an applicant, including financial  
3-51 resources, business integrity and experience, facilities and  
3-52 personnel for serving franchised dealers, and other information the  
3-53 department ~~[board]~~ determines pertinent to safeguard the public  
3-54 interest and welfare.

3-55 SECTION 7. Section 2301.261(a), Occupations Code, is  
3-56 amended to read as follows:

3-57 (a) An application for a vehicle lessor's license must:

3-58 (1) be on a form prescribed by the department ~~[board]~~;

3-59 (2) contain evidence of compliance with Chapter 503,  
3-60 Transportation Code, if applicable; and

3-61 (3) state other information required by the department  
3-62 ~~[board]~~.

3-63 SECTION 8. Section 2301.262(a), Occupations Code, is  
3-64 amended to read as follows:

3-65 (a) An application for a vehicle lease facilitator license  
3-66 must be on a form prescribed by the department ~~[board]~~ and contain  
3-67 the information required by the department ~~[board]~~.

3-68 SECTION 9. Sections 2301.264(c) and (d), Occupations Code,  
3-69 are amended to read as follows:

4-1 (c) The department [~~board~~] may prorate the fee for a  
4-2 representative's license to allow the representative's license and  
4-3 the license of the manufacturer or distributor who employs the  
4-4 representative to expire on the same day.

4-5 (d) The department [~~board~~] may refund from funds  
4-6 appropriated to the department [~~board~~] for that purpose a fee  
4-7 collected under this chapter that is not due or that exceeds the  
4-8 amount due.

4-9 SECTION 10. Sections 2301.301(a), (b), (c), and (e),  
4-10 Occupations Code, are amended to read as follows:

4-11 (a) Licenses issued under this chapter are valid for the  
4-12 period prescribed by the board [~~commission~~].

4-13 (b) The board [~~director~~] may issue a license for a term of  
4-14 less than the period prescribed under Subsection (a) to coordinate  
4-15 the expiration dates of licenses held by a person that is required  
4-16 to obtain more than one license to perform activities under this  
4-17 chapter.

4-18 (c) The board [~~commission~~] by rule may implement a system  
4-19 under which licenses expire on various dates during the year. For  
4-20 a year in which a license expiration date is changed [~~If a license~~  
4-21 ~~is issued or renewed for a term that is less than the period set~~  
4-22 ~~under Subsection (a)~~], the fee for the license shall be prorated so  
4-23 that the license holder pays only that portion of the fee that is  
4-24 allocable to the number of months during which the license is  
4-25 valid. On renewal of the license on the new expiration date, the  
4-26 entire license renewal fee is payable.

4-27 (e) If the board [~~commission~~] prescribes the term of a  
4-28 license under this chapter for a period other than one year, the  
4-29 board [~~commission~~] shall prorate the applicable annual fee required  
4-30 under this chapter as necessary to reflect the term of the license.

4-31 SECTION 11. Section 2301.302, Occupations Code, is amended  
4-32 to read as follows:

4-33 Sec. 2301.302. NOTICE OF LICENSE EXPIRATION. The  
4-34 department [~~board~~] shall notify each person licensed under this  
4-35 chapter of the date of license expiration and the amount of the fee  
4-36 required for license renewal. The notice shall be sent [~~mailed~~] at  
4-37 least 30 days before the date of license expiration.

4-38 SECTION 12. Section 2301.351, Occupations Code, is amended  
4-39 to read as follows:

4-40 Sec. 2301.351. GENERAL PROHIBITION. A dealer may not:

- 4-41 (1) violate a board rule;
- 4-42 (2) aid or abet a person who violates this chapter,  
4-43 Chapter 503, Transportation Code, or a rule adopted under those  
4-44 chapters; or
- 4-45 (3) use false, deceptive, or misleading advertising  
4-46 relating to the sale or lease of motor vehicles.

4-47 SECTION 13. Sections 2301.358(a) and (c), Occupations Code,  
4-48 are amended to read as follows:

4-49 (a) A person who holds a license issued under this chapter  
4-50 may not participate in a new motor vehicle show or exhibition  
4-51 unless:

- 4-52 (1) the person provides the department [~~board~~] with  
4-53 written notice at least 30 days before the date the show or  
4-54 exhibition opens; and
- 4-55 (2) the department [~~board~~] grants written approval.

4-56 (c) This section does not prohibit the sale of a towable  
4-57 recreational vehicle, motor home, ambulance, fire-fighting  
4-58 vehicle, or tow truck at a show or exhibition if:

- 4-59 (1) the show or exhibition is approved by the  
4-60 department [~~board~~]; and
- 4-61 (2) the sale is not otherwise prohibited by law.

4-62 SECTION 14. Section 2301.401(a), Occupations Code, is  
4-63 amended to read as follows:

4-64 (a) A manufacturer or distributor shall file with the  
4-65 department [~~board~~] a copy of the current requirements the  
4-66 manufacturer or distributor imposes on its dealers with respect to  
4-67 the dealer's:

- 4-68 (1) duties under the manufacturer's or distributor's  
4-69 warranty; and

5-1 (2) vehicle preparation and delivery obligations.  
5-2 SECTION 15. Section 2301.454(a), Occupations Code, is  
5-3 amended to read as follows:

5-4 (a) Notwithstanding the terms of any franchise, a  
5-5 manufacturer, distributor, or representative may not modify or  
5-6 replace a franchise if the modification or replacement would  
5-7 adversely affect to a substantial degree the dealer's sales,  
5-8 investment, or obligations to provide service to the public,  
5-9 unless:

5-10 (1) the manufacturer, distributor, or representative  
5-11 provides written notice by registered or certified mail to each  
5-12 affected dealer and the department [~~board~~] of the modification or  
5-13 replacement; and

5-14 (2) if a protest is filed under this section, the board  
5-15 approves the modification or replacement.

5-16 SECTION 16. Section 2301.476(c), Occupations Code, is  
5-17 amended to read as follows:

5-18 (c) Except as provided by this section, a manufacturer or  
5-19 distributor may not directly or indirectly:

5-20 (1) own an interest in a franchised or nonfranchised  
5-21 dealer or dealership;

5-22 (2) operate or control a franchised or nonfranchised  
5-23 dealer or dealership; or

5-24 (3) act in the capacity of a franchised or  
5-25 nonfranchised dealer.

5-26 SECTION 17. Section 2301.601(2), Occupations Code, is  
5-27 amended to read as follows:

5-28 (2) "Owner" means a person who is entitled to enforce a  
5-29 manufacturer's warranty with respect to a motor vehicle, and who:

5-30 (A) purchased the [a] motor vehicle at retail  
5-31 from a license holder [and is entitled to enforce a manufacturer's  
5-32 warranty with respect to the vehicle];

5-33 (B) is a lessor or lessee, other than a  
5-34 sublessee, who purchased or leased the vehicle from a license  
5-35 holder; [or]

5-36 (C) is a resident of this state and has  
5-37 registered the vehicle in this state;

5-38 (D) purchased or leased the vehicle at retail and  
5-39 is an active duty member of the United States armed forces stationed  
5-40 in this state at the time a proceeding is commenced under this  
5-41 subchapter; or

5-42 (E) is:  
5-43 (i) the transferee or assignee of a person  
5-44 described by Paragraphs (A)-(D); [Paragraph (A) or (B),]

5-45 (ii) a resident of this state; [r] and  
5-46 (iii) the person who registered the vehicle

5-47 in this state [entitled to enforce the manufacturer's warranty].

5-48 SECTION 18. Sections 2301.611(a) and (c), Occupations Code,  
5-49 are amended to read as follows:

5-50 (a) The department [~~board~~] shall publish an annual report on  
5-51 the motor vehicles ordered repurchased or replaced under this  
5-52 subchapter.

5-53 (c) The department [~~board~~] shall make the report available  
5-54 to the public and may charge a reasonable fee to cover the cost of  
5-55 the report.

5-56 SECTION 19. Section 2301.613(a), Occupations Code, is  
5-57 amended to read as follows:

5-58 (a) The department [~~board~~] shall prepare, publish, and  
5-59 distribute information concerning an owner's rights under this  
5-60 subchapter. The retail seller of a new motor vehicle shall  
5-61 conspicuously post a copy of the information in the area where its  
5-62 customers usually pay for repairs.

5-63 SECTION 20. Section 2301.711, Occupations Code, is amended  
5-64 and to read as follows:

5-65 Sec. 2301.711. ORDERS AND DECISIONS. [~~(a)~~] An order or  
5-66 decision of the board must:

5-67 (1) include a separate finding of fact with respect to  
5-68 each specific issue the board is required by law to consider in  
5-69 reaching a decision;

- 6-1 (2) set forth additional findings of fact and
- 6-2 conclusions of law on which the order or decision is based; ~~and~~
- 6-3 (3) give the reasons for the particular actions taken;
- 6-4 (4) ~~[-~~
- 6-5 ~~[(b) Except as provided by Subchapter M, the order or~~
- 6-6 ~~decision must:~~
- 6-7 ~~[(1)]~~ be signed by the presiding officer or assistant
- 6-8 presiding officer for the board;
- 6-9 (5) ~~[(2)]~~ be attested to by the director; and
- 6-10 (6) ~~[(3)]~~ have the seal affixed to it.

6-11 SECTION 21. Section 2301.803(c), Occupations Code, is

6-12 amended to read as follows:

6-13 (c) A person affected by a statutory stay imposed by this

6-14 chapter may request a hearing ~~[initiate a proceeding before the~~

6-15 ~~board]~~ to modify, vacate, or clarify the extent and application of

6-16 the statutory stay.

6-17 SECTION 22. Section 501.023, Transportation Code, is

6-18 amended by amending Subsections (a), (b), and (c) and adding

6-19 Subsection (e) to read as follows:

6-20 (a) The owner of a motor vehicle must present identification

6-21 and apply for a [certificate of] title as prescribed by the

6-22 department, unless otherwise exempted by law. To obtain a title,

6-23 the owner must apply:

6-24 (1) to the county assessor-collector in the county in

6-25 which:

- 6-26 (A) the owner is domiciled; or
- 6-27 (B) the motor vehicle is purchased or encumbered;

6-28 or [and]

6-29 (2) if the county in which the owner resides has been

6-30 declared by the governor as a disaster area, to the county

6-31 assessor-collector in one of the closest unaffected counties to a

6-32 county that asks for assistance and:

6-33 (A) continues to be declared by the governor as a

6-34 disaster area because the county has been rendered inoperable by

6-35 the disaster; and

6-36 (B) is inoperable for a protracted period of time

6-37 [on a form prescribed by the department].

6-38 (b) The assessor-collector shall send the application to

6-39 the department or enter it into the department's titling system

6-40 within 72 ~~[not later than 24]~~ hours after receipt of [receiving] the

6-41 application.

6-42 (c) The owner or a lessee of a commercial motor vehicle

6-43 operating under the International Registration Plan or other

6-44 agreement described by Section 502.054 that is applying for a

6-45 ~~[certificate of] title for purposes of registration only may apply~~

6-46 ~~[must be made]~~ directly to the department. Notwithstanding Section

6-47 501.138(a), an applicant for registration under this subsection

6-48 shall pay ~~[the department]~~ the fee imposed by that section. The

6-49 ~~[department shall send the]~~ fee shall be distributed to the

6-50 appropriate county assessor-collector ~~[for distribution]~~ in the

6-51 manner provided by Section 501.138.

6-52 (e) Applications submitted to the department electronically

6-53 must request the purchaser's choice of county as stated in

6-54 Subsection (a) as the recipient of all taxes, fees, and other

6-55 revenue collected as a result of the transaction.

6-56 SECTION 23. Chapter 501, Transportation Code, is amended by

6-57 adding Subchapter I to read as follows:

6-58 SUBCHAPTER I. ELECTRONIC TITLING SYSTEM

6-59 Sec. 501.171. APPLICATION OF SUBCHAPTER. This subchapter

6-60 applies only if the department implements a titling system under

6-61 Section 501.173.

6-62 Sec. 501.172. DEFINITIONS. In this subchapter:

6-63 (1) "Document" means information that is inscribed on

6-64 a tangible medium or that is stored in an electronic or other medium

6-65 and is retrievable in perceivable form.

6-66 (2) "Electronic" means relating to technology having

6-67 electrical, digital, magnetic, wireless, optical, electromagnetic,

6-68 or similar capabilities.

6-69 (3) "Electronic document" means a document that is in

7-1 an electronic form.

7-2 (4) "Electronic signature" means an electronic sound,  
 7-3 symbol, or process attached to or logically associated with a  
 7-4 document and executed or adopted by a person with the intent to sign  
 7-5 the document.

7-6 (5) "Paper document" means a document that is in  
 7-7 printed form.

7-8 Sec. 501.173. ELECTRONIC TITLING SYSTEM. (a) The board by  
 7-9 rule may implement an electronic titling system.

7-10 (b) A record of title maintained electronically by the  
 7-11 department in the titling system is the official record of vehicle  
 7-12 ownership unless the owner requests that the department issue a  
 7-13 printed title.

7-14 Sec. 501.174. VALIDITY OF ELECTRONIC DOCUMENTS. (a) If  
 7-15 this chapter requires that a document be an original, be on paper or  
 7-16 another tangible medium, or be in writing, the requirement is met by  
 7-17 an electronic document that complies with this subchapter.

7-18 (b) If a law requires that a document be signed, the  
 7-19 requirement is satisfied by an electronic signature.

7-20 (c) A requirement that a document or a signature associated  
 7-21 with a document be notarized, acknowledged, verified, witnessed, or  
 7-22 made under oath is satisfied if the electronic signature of the  
 7-23 person authorized to perform that act, and all other information  
 7-24 required to be included, is attached to or logically associated  
 7-25 with the document or signature. A physical or electronic image of a  
 7-26 stamp, impression, or seal is not required to accompany an  
 7-27 electronic signature.

7-28 Sec. 501.175. RECORDING OF DOCUMENTS. (a) Under the  
 7-29 titling system, the department may:

7-30 (1) receive, index, store, archive, and transmit  
 7-31 electronic documents;

7-32 (2) provide for access to, and for search and  
 7-33 retrieval of, documents and information by electronic means; and

7-34 (3) convert into electronic form:

7-35 (A) paper documents that it accepts for the  
 7-36 titling of a motor vehicle; and

7-37 (B) information recorded and documents that were  
 7-38 accepted for the titling of a motor vehicle before the titling  
 7-39 system was implemented.

7-40 (b) The department shall continue to accept paper documents  
 7-41 after the titling system is implemented.

7-42 Sec. 501.176. PAYMENT OF FEES BY ELECTRONIC FUNDS TRANSFER  
 7-43 OR CREDIT CARD. (a) The department may accept payment by  
 7-44 electronic funds transfer, credit card, or debit card of any title  
 7-45 or registration fee that the department is required or authorized  
 7-46 to collect under this chapter.

7-47 (b) The department may collect a fee for processing a title  
 7-48 or registration payment by electronic funds transfer, credit card,  
 7-49 or debit card. The amount of the fee must be reasonably related to  
 7-50 the expense incurred by the department in processing the payment by  
 7-51 electronic funds transfer, credit card, or debit card and may not be  
 7-52 more than five percent of the amount of the fee being paid.

7-53 (c) In addition to the fee authorized by Subsection (b), the  
 7-54 department may collect from a person making payment by electronic  
 7-55 funds transfer, credit card, or debit card an amount equal to the  
 7-56 amount of any transaction fee charged to the department by a vendor  
 7-57 providing services in connection with payments made by electronic  
 7-58 funds transfer, credit card, or debit card. The limitation  
 7-59 prescribed by Subsection (b) on the amount of a fee does not apply  
 7-60 to a fee collected under this subsection.

7-61 Sec. 501.177. SERVICE CHARGE. If, for any reason, the  
 7-62 payment of a fee under this chapter by electronic funds transfer,  
 7-63 credit card, or debit card is not honored by the funding  
 7-64 institution, or by the electronic funds transfer, credit card, or  
 7-65 debit card company on which the funds are drawn, the department may  
 7-66 collect from the person who owes the fee being collected a service  
 7-67 charge that is for the collection of that original amount and is in  
 7-68 addition to the original fee. The amount of the service charge must  
 7-69 be reasonably related to the expense incurred by the department in

8-1 collecting the original amount.  
 8-2 Sec. 501.178. DISPOSITION OF FEES. All fees collected  
 8-3 under this subchapter shall be deposited to the credit of the state  
 8-4 highway fund.

8-5 Sec. 501.179. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL  
 8-6 AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and  
 8-7 supersedes the federal Electronic Signatures in Global and National  
 8-8 Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify,  
 8-9 limit, or supersede Section 101(c) of that Act (15 U.S.C. Section  
 8-10 7001(c)) or authorize electronic delivery of any of the notices  
 8-11 described in Section 103(b) of that Act (15 U.S.C. Section  
 8-12 7003(b)).

8-13 SECTION 24. Section 502.002, Transportation Code, is  
 8-14 amended to read as follows:

8-15 Sec. 502.002. REGISTRATION REQUIRED; GENERAL RULE. (a)  
 8-16 Not more than 30 days after purchasing a vehicle or becoming a  
 8-17 resident of this state, the [The] owner of a motor vehicle, trailer,  
 8-18 or semitrailer shall apply for the registration of the vehicle for:

8-19 (1) each registration year in which the vehicle is  
 8-20 used or to be used on a public highway; and

8-21 (2) if the vehicle is unregistered for a registration  
 8-22 year that has begun and that applies to the vehicle and if the  
 8-23 vehicle is used or to be used on a public highway, the remaining  
 8-24 portion of that registration year.

8-25 (b) The application must be accompanied by personal  
 8-26 identification as determined by department rule and made in a  
 8-27 manner prescribed by ~~the~~ the department:

8-28 (1) through the county assessor-collector of the  
 8-29 county in which the owner resides; or

8-30 (2) if the county in which the owner resides has been  
 8-31 declared by the governor as a disaster area, through the county  
 8-32 assessor-collector of a county that is one of the closest  
 8-33 unaffected counties to a county that asks for assistance and:

8-34 (A) continues to be declared by the governor as a  
 8-35 disaster area because the county has been rendered inoperable by  
 8-36 the disaster; and

8-37 (B) is inoperable for a protracted period of  
 8-38 time.

8-39 (c) A provision of this chapter that conflicts with this  
 8-40 section prevails over this section to the extent of the conflict.

8-41 (d) A county assessor-collector, a deputy county  
 8-42 assessor-collector, or a person acting on behalf of a county  
 8-43 assessor-collector is not liable to any person for:

8-44 (1) refusing to register a motor vehicle because of  
 8-45 the person's failure to submit evidence of residency that complies  
 8-46 with the department's rules; or

8-47 (2) registering a motor vehicle under this section.

8-48 SECTION 25. Section 502.151, Transportation Code, is  
 8-49 amended to read as follows:

8-50 Sec. 502.151. APPLICATION FOR REGISTRATION. (a) An  
 8-51 application for vehicle registration must:

8-52 (1) be made in a manner prescribed and include the  
 8-53 information required ~~[on a form furnished]~~ by the department by  
 8-54 rule; and

8-55 (2) contain a ~~[the]~~ full description ~~[name and address~~  
 8-56 ~~of the owner]~~ of the vehicle as required by department rule ~~[+~~

8-57 ~~[(3) contain a brief description of the vehicle,~~

8-58 ~~[(4) contain any other information required by the~~  
 8-59 ~~department, and~~

8-60 ~~[(5) be signed by the owner].~~

8-61 (b) ~~The department shall deny the [For a new motor vehicle,~~  
 8-62 ~~the description of the vehicle must include the vehicle's:~~

8-63 ~~[(1) trade name,~~

8-64 ~~[(2) year model,~~

8-65 ~~[(3) style and type of body,~~

8-66 ~~[(4) weight, if the vehicle is a passenger car,~~

8-67 ~~[(5) net carrying capacity and gross weight, if the~~  
 8-68 ~~vehicle is a commercial motor vehicle,~~

8-69 ~~[(6) vehicle identification number, and~~



9-1 ~~[(7) date of sale by the manufacturer or dealer to the~~  
9-2 ~~applicant.~~

9-3 ~~[(c) An applicant for]~~ registration of a commercial motor  
9-4 vehicle, truck-tractor, trailer, or semitrailer if the applicant:

9-5 (1) has a business operated, managed, or otherwise  
9-6 controlled or affiliated with a person who is ineligible for  
9-7 registration or whose privilege to operate has been suspended,  
9-8 including the applicant entity, a relative, a family member, a  
9-9 corporate officer, or a shareholder;

9-10 (2) has a vehicle that has been prohibited from  
9-11 operating by the Federal Motor Carrier Safety Administration for  
9-12 safety-related reasons;

9-13 (3) is a carrier whose business is operated, managed,  
9-14 or otherwise controlled or affiliated with a person who is  
9-15 ineligible for registration, including the owner, a relative, a  
9-16 family member, a corporate officer, or a shareholder; or

9-17 (4) fails to [must] deliver to the county  
9-18 assessor-collector proof of [an affidavit showing] the weight of  
9-19 the vehicle, the maximum load to be carried on the vehicle, and the  
9-20 gross weight for which the vehicle is to be registered. [The  
9-21 assessor-collector shall keep the affidavit on file.]

9-22 (c) [(d)] In lieu of filing an application during a year as  
9-23 provided by Subsection (a), the owner of a vehicle registered in any  
9-24 state for that year or the preceding year may present the  
9-25 registration receipt and transfer receipt, if any. The county  
9-26 assessor-collector shall accept the receipt as an application for  
9-27 renewal of the registration if the receipt indicates the applicant  
9-28 owns the vehicle. This section allows issuance for registration  
9-29 purposes only but does not authorize the department to issue a  
9-30 title.

9-31 (d) The department may require an applicant for  
9-32 registration to provide current personal identification as  
9-33 determined by department rule. Any identification number required  
9-34 by the department under this subsection may be entered into the  
9-35 department's electronic titling system but may not be printed on  
9-36 the title.

9-37 ~~[(e) If an owner or claimed owner has lost or misplaced the~~  
9-38 ~~registration receipt or transfer receipt for the vehicle, the~~  
9-39 ~~county assessor-collector shall register the vehicle on the~~  
9-40 ~~person's furnishing to the assessor-collector satisfactory~~  
9-41 ~~evidence, by affidavit or otherwise, that the person owns the~~  
9-42 ~~vehicle.~~

9-43 ~~[(f) A county assessor-collector shall date each~~  
9-44 ~~registration receipt issued for a vehicle with the date on which the~~  
9-45 ~~application for registration is made.]~~

9-46 SECTION 26. Section 503.011, Transportation Code, is  
9-47 amended to read as follows:

9-48 Sec. 503.011. PRORATING FEES. If the board ~~[commission]~~  
9-49 prescribes the term of a general distinguishing number, license, or  
9-50 license plate under this chapter for a period other than one year,  
9-51 the board ~~[commission]~~ shall prorate the applicable annual fee  
9-52 required under this chapter as necessary to reflect the term of the  
9-53 number, license, or license plate.

9-54 SECTION 27. Section 503.027(a), Transportation Code, is  
9-55 amended to read as follows:

9-56 (a) If a dealer ~~[person]~~ consigns for sale more than five  
9-57 vehicles in a calendar year from a location other than the location  
9-58 for which the dealer ~~[person]~~ holds a ~~[wholesale motor vehicle~~  
9-59 ~~auction general distinguishing number or a dealer]~~ general  
9-60 distinguishing number, the dealer must also hold ~~[location to which~~  
9-61 ~~the person consigns the vehicles must have]~~ a general  
9-62 distinguishing number for the consignment ~~[that]~~ location unless  
9-63 the consignment location is a wholesale motor vehicle auction.

9-64 SECTION 28. Section 503.033(g), Transportation Code, is  
9-65 amended to read as follows:

9-66 (g) This section does not apply to a person licensed as a  
9-67 franchised motor vehicle dealer by the department ~~[department's~~  
9-68 ~~Motor Vehicle Board]~~.

9-69 SECTION 29. Section 503.039, Transportation Code, is

10-1 amended to read as follows:

10-2 Sec. 503.039. PUBLIC MOTOR VEHICLE AUCTIONS. (a) A motor  
10-3 vehicle may not be the subject of a subsequent sale at a public ~~an~~  
10-4 auction by a holder of a dealer's general distinguishing number  
10-5 unless[+]

10-6 ~~[(1)]~~ equitable or legal title has passed [passes] to  
10-7 the selling dealer ~~[holder of a dealer's general distinguishing~~  
10-8 ~~number]~~ before the ~~[a]~~ transfer of title to the subsequent buyer.

10-9 (b) The ~~[+ and~~

10-10 ~~[(2) the]~~ holder of a dealer's general distinguishing  
10-11 number who sells a motor vehicle at a public auction must transfer  
10-12 ~~[transfers]~~ the certificate of title for that vehicle to the buyer  
10-13 before the 21st day after the date of the sale.

10-14 SECTION 30. Subchapter A, Chapter 520, Transportation Code,  
10-15 is amended by adding Sections 520.003 and 520.004 to read as  
10-16 follows:

10-17 Sec. 520.003. RULES; WAIVER OF FEES. The department may  
10-18 adopt rules to administer this chapter, including rules that waive  
10-19 the payment of fees if a dealer has gone out of business and the  
10-20 applicant can show that fees were paid to the dealer.

10-21 Sec. 520.004. DEPARTMENT RESPONSIBILITIES. The department  
10-22 has jurisdiction over the registration and titling of, and the  
10-23 issuance of license plates to, motor vehicles in compliance with  
10-24 the applicable statutes. The department by rule:

10-25 (1) shall provide services that are reasonable,  
10-26 adequate, and efficient;

10-27 (2) shall establish standards for uniformity and  
10-28 service quality for counties and dealers licensed under Section  
10-29 520.005; and

10-30 (3) may conduct public service education campaigns  
10-31 related to the department's functions.

10-32 SECTION 31. Section 501.137, Transportation Code, is  
10-33 transferred to Subchapter A, Chapter 520, Transportation Code,  
10-34 redesignated as Section 520.005, Transportation Code, and amended  
10-35 to read as follows:

10-36 Sec. 520.005 [501.137]. DUTY AND RESPONSIBILITIES OF  
10-37 COUNTY ASSESSOR-COLLECTOR. (a) Each county assessor-collector  
10-38 shall comply with Chapter 501 [this chapter].

10-39 (b) An assessor-collector who fails or refuses to comply  
10-40 with Chapter 501 [this chapter] is liable on the  
10-41 assessor-collector's official bond for resulting damages suffered  
10-42 by any person.

10-43 (c) The assessor-collector may license franchised and  
10-44 nonfranchised motor vehicle dealers to title and register motor  
10-45 vehicles in accordance with rules adopted under Section 520.004.  
10-46 The county assessor-collector may pay a fee to a motor vehicle  
10-47 dealer independent of or as part of the portion of the fees that  
10-48 would be collected by the county for each title and registration  
10-49 receipt issued.

10-50 SECTION 32. Section 502.109, Transportation Code, is  
10-51 transferred to Subchapter A, Chapter 520, Transportation Code,  
10-52 redesignated as Section 520.006, Transportation Code, and amended  
10-53 to read as follows:

10-54 Sec. 520.006 [502.109]. COMPENSATION OF  
10-55 ASSESSOR-COLLECTOR. (a) A county assessor-collector shall  
10-56 receive a fee of \$1.90 for each receipt issued under Chapter 502  
10-57 [this chapter. If the assessor-collector may be compensated by  
10-58 fees, a fee received is compensation for services under this  
10-59 chapter. The assessor-collector shall deduct the fee weekly from  
10-60 the gross collections made under this chapter].

10-61 (a-1) A county assessor-collector collecting fees on behalf  
10-62 of a county that has been declared as a disaster area for purposes  
10-63 of Section 501.023 or 502.002 may retain the commission for fees  
10-64 collected, but shall allocate the fees to the county declared as a  
10-65 disaster area.

10-66 (b) A county assessor-collector who is compensated under  
10-67 this section shall pay the entire expense of issuing registration  
10-68 receipts and license plates under Chapter 501 or 502 [this chapter]  
10-69 from the compensation allowed under this section.

11-1 SECTION 33. Section 1001.001, Transportation Code, is  
 11-2 amended by adding Subdivision (3) to read as follows:

11-3 (3) "Executive director" means the executive director  
 11-4 of the department.

11-5 SECTION 34. Section 1001.004, Transportation Code, is  
 11-6 amended to read as follows:

11-7 Sec. 1001.004. DIVISIONS. The executive director [~~board~~]  
 11-8 shall organize the department into divisions to accomplish the  
 11-9 department's functions and the duties assigned to the department  
 11-10 [it, including divisions for:

- 11-11 [(1) administration;
- 11-12 [(2) motor carriers;
- 11-13 [(3) motor vehicle board; and
- 11-14 [(4) vehicle titles and registration].

11-15 SECTION 35. Subchapter A, Chapter 1001, Transportation  
 11-16 Code, is amended by adding Sections 1001.007, 1001.008, 1001.009,  
 11-17 1001.010, and 1001.011 to read as follows:

11-18 Sec. 1001.007. PROTECTION AND USE OF INTELLECTUAL PROPERTY  
 11-19 AND PUBLICATIONS. (a) The department may:

11-20 (1) apply for, register, secure, hold, and protect  
 11-21 under the laws of the United States, any state, or any nation a  
 11-22 patent, copyright, mark, or other evidence of protection or  
 11-23 exclusivity issued in or for an idea, publication, or other  
 11-24 original innovation fixed in a tangible medium, including:

- 11-25 (A) a literary work;
- 11-26 (B) a logo;
- 11-27 (C) a service mark;
- 11-28 (D) a study;
- 11-29 (E) a map or planning document;
- 11-30 (F) a graphic design;
- 11-31 (G) a manual;
- 11-32 (H) automated systems software;
- 11-33 (I) an audiovisual work; or
- 11-34 (J) a sound recording;

11-35 (2) enter into an exclusive or nonexclusive license  
 11-36 agreement with a third party for the receipt of a fee, royalty, or  
 11-37 other thing of monetary or nonmonetary value for the benefit of the  
 11-38 department;

11-39 (3) waive or reduce the amount of a fee, royalty, or  
 11-40 other thing of monetary or nonmonetary value to be assessed if the  
 11-41 department determines that the waiver will:

- 11-42 (A) further the goals and missions of the  
 11-43 department; and
- 11-44 (B) result in a net benefit to the state; and

11-45 (4) adopt and enforce rules necessary to implement  
 11-46 this section.

11-47 (b) Money collected by the department under this section  
 11-48 shall be deposited to the credit of the state highway fund for use  
 11-49 by the department in supporting the department's operations and the  
 11-50 administration of the department's functions.

11-51 Sec. 1001.008. DONATIONS AND CONTRIBUTIONS. (a) Except as  
 11-52 provided by Subsection (b), for the purpose of carrying out its  
 11-53 functions and duties, the board may accept a donation or  
 11-54 contribution in any form, including real or personal property,  
 11-55 money, materials, or services.

11-56 (b) The board may not accept a donation or contribution from  
 11-57 an entity or association of entities that it regulates.

11-58 (c) The board by rule may delegate acceptance of donations  
 11-59 or contributions under \$500, or not otherwise required to be  
 11-60 acknowledged in an open meeting, to the executive director.

11-61 Sec. 1001.009. COLLECTION OF FEES FOR DEPARTMENT GOODS AND  
 11-62 SERVICES. (a) The board may adopt rules regarding the method of  
 11-63 collection of a fee for any goods sold or services provided by the  
 11-64 department or for the administration of any department program.

11-65 (b) Goods sold and services provided under Subsection (a)  
 11-66 include department publications and the issuance of licenses,  
 11-67 permits, and registrations.

11-68 (c) The rules adopted under Subsection (a) may:

- 11-69 (1) authorize the use of electronic funds transfer or

12-1 a valid debit or credit card issued by a financial institution  
12-2 chartered by a state, the United States, or a nationally recognized  
12-3 credit organization approved by the department; and

12-4 (2) require the payment of a discount or service  
12-5 charge for a credit card payment in addition to the fee.

12-6 (d) Revenue generated from the collection of discount or  
12-7 service charges under Subsection (c) shall be deposited to the  
12-8 credit of the state highway fund for use by the department in  
12-9 supporting the department's operations and the administration of  
12-10 the department's functions.

12-11 Sec. 1001.010. AUTHORITY TO CONTRACT. (a) The department  
12-12 may enter into an interlocal contract with one or more local  
12-13 governments in accordance with Chapter 791, Government Code.

12-14 (b) The board by rule shall adopt policies and procedures  
12-15 consistent with applicable state procurement practices for  
12-16 soliciting and awarding a contract under this section.

12-17 Sec. 1001.011. EDUCATIONAL CAMPAIGNS AND TRAINING. The  
12-18 department may conduct public service educational campaigns  
12-19 related to its functions.

12-20 SECTION 36. Subchapter B, Chapter 1001, Transportation  
12-21 Code, is amended by adding Section 1001.0221 to read as follows:

12-22 Sec. 1001.0221. BOARD; DUTIES. (a) The board shall oversee  
12-23 and coordinate the development of the department and shall ensure  
12-24 that all components of the motor vehicle industry function as a  
12-25 system.

12-26 (b) The board shall carry out its policy-making functions in  
12-27 a manner that protects the interests of the public and industry,  
12-28 maintains a safe and sound motor vehicle industry, and increases  
12-29 the economic prosperity of the state.

12-30 SECTION 37. Section 1001.023, Transportation Code, is  
12-31 amended to read as follows:

12-32 Sec. 1001.023. CHAIR AND VICE CHAIR; DUTIES. (a) The  
12-33 governor shall appoint one of the board's members chair of the  
12-34 board. The chair serves at the pleasure of the governor. The board  
12-35 shall elect one of its members vice chair of the board. The [A  
12-36 ~~chair or~~] vice chair serves at the pleasure of the board.

12-37 (b) The chair shall:

12-38 (1) preside over board meetings, make rulings on  
12-39 motions and points of order, and determine the order of business;

12-40 (2) represent the department in dealing with the  
12-41 governor;

12-42 (3) report to the governor on the state of affairs of  
12-43 the department at least quarterly;

12-44 (4) report to the board the governor's suggestions for  
12-45 department operations;

12-46 (5) report to the governor on efforts, including  
12-47 legislative requirements, to maximize the efficiency of department  
12-48 operations through the use of private enterprise;

12-49 (6) periodically review the department's  
12-50 organizational structure and submit recommendations for structural  
12-51 changes to the governor, the board, and the Legislative Budget  
12-52 Board;

12-53 (7) designate one or more employees of the department  
12-54 as a civil rights division of the department and receive regular  
12-55 reports from the division on the department's efforts to comply  
12-56 with civil rights legislation and administrative rules;

12-57 (8) create subcommittees, appoint board members to  
12-58 subcommittees, and receive the reports of subcommittees to the  
12-59 board as a whole;

12-60 (9) appoint a member of the board to act in the  
12-61 [~~chair's~~] absence of the chair and vice chair; and

12-62 (10) serve as the departmental liaison with the  
12-63 governor and the Office of State-Federal Relations to maximize  
12-64 federal funding for transportation.

12-65 SECTION 38. Section 1001.031, Transportation Code, is  
12-66 amended by amending Subsection (a) and adding Subsections (a-1) and  
12-67 (f) to read as follows:

12-68 (a) The board may [~~shall~~] establish [~~separate~~] advisory  
12-69 committees [~~for the motor carrier, motor vehicles, and vehicle~~]

13-1 ~~titles and registration divisions]~~ to make recommendations to the  
13-2 board or the executive director ~~[on the operation of the applicable~~  
13-3 ~~division]~~. A committee has the purposes, powers, and duties,  
13-4 including the manner of reporting its work, prescribed by the  
13-5 board. A committee and each committee member serves at the will of  
13-6 the board.

13-7 (a-1) Section 2110.002, Government Code, does not apply to  
13-8 an advisory committee established under this section.

13-9 (f) The meetings of an advisory committee shall be made  
13-10 accessible to the public in person or through electronic means.

13-11 SECTION 39. Subchapter C, Chapter 1001, Transportation  
13-12 Code, is amended by adding Section 1001.0411 to read as follows:

13-13 Sec. 1001.0411. EXECUTIVE DIRECTOR; DUTIES. (a) The board  
13-14 shall appoint an executive director to serve at the pleasure of the  
13-15 board. The executive director shall perform all duties assigned by  
13-16 the board.

13-17 (b) The executive director may delegate duties or  
13-18 responsibilities as the executive director considers appropriate,  
13-19 provided the delegation does not conflict with applicable law or a  
13-20 resolution of the board.

13-21 SECTION 40. Chapter 1001, Transportation Code, is amended  
13-22 by adding Subchapter D to read as follows:

13-23 SUBCHAPTER D. ELECTRONIC ISSUANCE OF LICENSES

13-24 Sec. 1001.101. DEFINITIONS. In this subchapter:

13-25 (1) "Digital signature" means an electronic  
13-26 identifier intended by the person using it to have the same force  
13-27 and effect as the use of a manual signature.

13-28 (2) "License" includes:

13-29 (A) a motor carrier registration issued under  
13-30 Chapter 643;

13-31 (B) a motor vehicle dealer, salvage dealer,  
13-32 manufacturer, distributor, representative, converter, or agent  
13-33 license issued by the department;

13-34 (C) specially designated or specialized license  
13-35 plates issued under Chapter 504; and

13-36 (D) an apportioned registration issued according  
13-37 to the International Registration Plan under Section 502.054.

13-38 Sec. 1001.102. APPLICATION FOR AND ISSUANCE OF LICENSE.  
13-39 The board by rule may provide for the filing of a license  
13-40 application and the issuance of a license by electronic means.

13-41 Sec. 1001.103. DIGITAL SIGNATURE. (a) A license  
13-42 application received by the department is considered signed if a  
13-43 digital signature is transmitted with the application and intended  
13-44 by the applicant to authenticate the license in accordance with  
13-45 Subsection (b).

13-46 (b) The department may only accept a digital signature used  
13-47 to authenticate a license application under procedures that:

13-48 (1) comply with any applicable rules of another state  
13-49 agency having jurisdiction over department use or acceptance of a  
13-50 digital signature; and

13-51 (2) provide for consideration of factors that may  
13-52 affect a digital signature's reliability, including whether a  
13-53 digital signature is:

13-54 (A) unique to the person using it;

13-55 (B) capable of independent verification;

13-56 (C) under the sole control of the person using  
13-57 it; and

13-58 (D) transmitted in a manner that makes it  
13-59 infeasible to change the data in the communication or digital  
13-60 signature without invalidating the digital signature.

13-61 SECTION 41. Chapter 1003, Transportation Code, is amended  
13-62 by adding Section 1003.005 to read as follows:

13-63 Sec. 1003.005. DELEGATION OF POWER. (a) The board by rule  
13-64 may delegate any power relating to a contested case hearing, other  
13-65 than the power to issue a final order, to:

13-66 (1) one or more of the board's members;

13-67 (2) the executive director;

13-68 (3) the director of a division of the department; or

13-69 (4) one or more of the department's employees.

14-1 (b) The board by rule may delegate the authority to issue a  
14-2 final order in a contested case hearing to:  
14-3 (1) one or more of the board's members;  
14-4 (2) the executive director; or  
14-5 (3) the director of a division within the department  
14-6 designated by the board or the executive director to carry out the  
14-7 requirements of this chapter.

14-8 (c) The board by rule may delegate any power relating to a  
14-9 complaint investigation to any person employed by the department.

14-10 SECTION 42. Section 264.502(b), Family Code, is amended to  
14-11 read as follows:

14-12 (b) The members of the committee who serve under Subsections  
14-13 (a)(1) through (3) shall select the following additional committee  
14-14 members:

- 14-15 (1) a criminal prosecutor involved in prosecuting
- 14-16 crimes against children;
- 14-17 (2) a sheriff;
- 14-18 (3) a justice of the peace;
- 14-19 (4) a medical examiner;
- 14-20 (5) a police chief;
- 14-21 (6) a pediatrician experienced in diagnosing and
- 14-22 treating child abuse and neglect;
- 14-23 (7) a child educator;
- 14-24 (8) a child mental health provider;
- 14-25 (9) a public health professional;
- 14-26 (10) a child protective services specialist;
- 14-27 (11) a sudden infant death syndrome family service
- 14-28 provider;
- 14-29 (12) a neonatologist;
- 14-30 (13) a child advocate;
- 14-31 (14) a chief juvenile probation officer;
- 14-32 (15) a child abuse prevention specialist;
- 14-33 (16) a representative of the Department of Public
- 14-34 Safety; and
- 14-35 (17) a representative of the Texas Department of
- 14-36 Transportation [~~Motor Vehicles~~].

14-37 SECTION 43. Section 2110.002, Government Code, is amended  
14-38 by adding Subsection (c) to read as follows:

14-39 (c) This section does not apply to an advisory committee  
14-40 established by the Texas Department of Motor Vehicles.

14-41 SECTION 44. (a) The following provisions are repealed:

- 14-42 (1) Section 2054.270, Government Code;
- 14-43 (2) Sections 2301.105, 2301.106, and 2301.206,
- 14-44 Occupations Code;
- 14-45 (3) Sections 503.033(c), 1001.031(c) and (d), and
- 14-46 1004.003, Transportation Code; and
- 14-47 (4) Sections 504.403, 504.404, and 504.406,
- 14-48 Transportation Code.

14-49 (b) Section 6.03(c), Chapter 933 (H.B. 3097), Acts of the  
14-50 81st Legislature, Regular Session, 2009, is repealed.

14-51 SECTION 45. This Act takes effect September 1, 2011.

14-52 \* \* \* \* \*