

BILL ANALYSIS

C.S.H.B. 2202
By: Pickett
Appropriations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Primary functions of the recently created Texas Department of Motor Vehicles (TxDMV) include, among others, administering the collection of motor vehicle-related fees and regulating the sale of motor vehicles. Fees collected by TxDMV are used primarily to fund the state's highway system and TxDMV is currently funded by money appropriated out of the state highway fund. Interested parties contend that TxDMV should be funded through administrative fees and other revenue collected by TxDMV. The parties are also of the opinion that TxDMV's fee structure is in need of simplification and that the board needs more flexibility with regard to its regulatory authority. C.S.H.B. 2202 seeks to address these issues.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the board of the Texas Department of Motor Vehicles in SECTIONS 19, 25, 43, and 69 of this bill.

ANALYSIS

C.S.H.B. 2202 amends the Transportation Code to establish the Texas Department of Motor Vehicles (TxDMV) fund as a special fund in the treasury outside the general revenue fund and the state highway fund consisting of the following: money appropriated by the legislature to TxDMV; money allocated to pay fund accounting costs and related liabilities of the fund; gifts, grants, and donations received by TxDMV; money required by law to be deposited to the fund; interest earned on money in the fund; and other revenue received by TxDMV. The bill prohibits money appropriated to TxDMV for Automobile Burglary and Theft Prevention Authority purposes and other revenue collected or received by the authority from being deposited into the fund. The bill limits TxDMV's use of money deposited in the state treasury to the credit of the TxDMV fund to support TxDMV's operations and the administration and enforcement of TxDMV functions or to pay the accounting costs and related liabilities for the fund. The bill exempts the fund from Government Code provisions regarding the appropriation of unobligated fund balances to the general revenue fund and the use of dedicated revenue. The bill requires the board of TxDMV by rule to prescribe the classification types of businesses that are authorized to perform certain TxDMV functions; the duties and obligations of an authorized business; the type and amount of any bonds that may be required for a business to perform certain functions; and the fees that may be charged or retained by an authorized business. The bill authorizes the executive director of TxDMV to authorize a business entity to perform a TxDMV function in accordance with those rules.

C.S.H.B. 2202 requires \$59 million of existing revenue from fees collected or received by TxDMV under the automated registration and titling system from November 1, 2009, to August 31, 2013, to be transferred to and deposited in the TxDMV fund on September 1, 2013. The bill establishes that, to the extent that revenue required to be deposited was, before September 1, 2013, being used as collateral or a source of payment for the repayment of any loans, bonds, credit agreements, public securities, or other obligations, that revenue remains subject to being used as collateral or a source of payment for those obligations. The bill requires, however, that

such an obligation first be paid from the state highway fund and subjects the TxDMV fund to the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

C.S.H.B. 2202 removes and repeals provisions relating to full- and limited-service deputy county assessor-collectors and instead requires the board of TxDMV by rule to prescribe the classification types of deputies performing titling and registration duties, the duties and obligations of deputies, the type and amount of any bonds that may be required by a county assessor-collector for a deputy to perform titling and registration duties, and the fees that may be charged or retained by deputies. The bill authorizes a county assessor-collector, with the approval of the commissioners court of the county, to deputize an individual or business entity to perform titling and registration services in accordance with those rules. The bill requires a commercial fleet buyer who is a deputy authorized by the bill and who utilizes the dealer title process developed to provide a method to submit title transactions to the county in which the commercial fleet buyer is a deputy, in order for the motor vehicle purchased by the deputy to qualify for the exemption from provisions governing the duty of a vehicle dealer on the sale of certain vehicles, to also have authority to accept an application for registration and application for title transfer that the county assessor may accept. The bill authorizes a deputy appointed on or before August 31, 2013, under provisions repealed by the bill to continue to perform the authorized services until the effective date of the rules the board adopts regarding the types of deputies authorized to perform titling and registration duties. The bill exempts a violation of the board's rules from provisions relating to a general penalty for certain violations concerning vehicle title and registration.

C.S.H.B. 2202 authorizes TxDMV to establish one or more escrow accounts in the TxDMV fund, rather than the state highway fund, for the prepayment of fees relating to 72-hour or 144-hour registration permits, permits relating to vehicle size and weight, or motor carrier registration.

C.S.H.B. 2202 authorizes TxDMV to collect a fee, in addition to other registration fees for the issuance of a license plate, a set of license plates, or another device used as the registration insignia, to cover the expenses of collecting those registration fees, including a service charge for registration by mail. The bill requires the board by rule to set the fee at a certain amount and authorizes the county tax assessor-collector, a private entity with which a county tax assessor-collector contracts, or a deputy assessor-collector to retain a portion of the fee as provided by board rule, with the remainder deposited to the credit of the TxDMV fund. The bill prohibits TxDMV, if such a fee is collected, from collecting certain other processing and transaction fees. The bill, in provisions that take effect on the effective date of the board's rules regarding the registration processing and handling fee added by the bill, changes the amount of the service charge a county assessor-collector may retain, rather than collect, from each applicant registering a vehicle by mail from \$1 to the amount determined by the board for the registration processing and handling fee added by the bill.

C.S.H.B. 2202 adds certain specified vehicle registration fees collected by a county assessor-collector to the fees that are exempt from being credited to the county road and bridge fund and specifies that the portion of those collections and the portion of the collections from an optional county fee for the county road and bridge fund sent to TxDMV is for deposit to the credit of the state highway fund.

C.S.H.B. 2202 establishes that certain fees sent to TxDMV bear interest for the benefit of the TxDMV fund, if applicable, at an annual rate of 10 percent beginning on the 60th day after the date the county assessor-collector collects the fee. The bill specifies that the fee collected for the automated registration and titling system is to be adopted by the board of TxDMV by rule, changes the fee amount from \$1 to not less than 50 cents nor more than \$1, and requires the fee to be collected and deposited into a subaccount in the TxDMV fund. The bill authorizes TxDMV to use money collected from the fee to provide for or enhance necessary infrastructure for certain

registration, permitting, titling, licensing, and enforcement purposes. The bill expands TxDMV's authorized use of money collected from that fee to include purposes relating to permitting, including vehicle size and weight permitting, and licensing and enforcement procedures. The bill, in provisions that take effect on the effective date of the board's rules regarding the registration processing and handling fee added by the bill, removes a provision requiring a county assessor-collector to receive a \$1.90 fee for each receipt issued with regard to the registration of vehicles and instead requires a county assessor-collector to retain for each such receipt the amount determined by the board for the registration processing and handling fee added by the bill.

C.S.H.B. 2202 requires portions of certain fees collected from applicants for permits for oversize or overweight vehicles to be deposited to the credit of the TxDMV fund. The bill specifies that the fee associated with the issuance of prorated credit for a destroyed or permanently inoperable vehicle for which a permit for excess axle or gross weight was issued is a fee adopted by the board instead of TxDMV. The bill requires the application fee for a heavy equipment permit to be established by TxDMV in consultation with the Texas Transportation Commission instead of by the commission.

C.S.H.B. 2202 amends the Family Code, Occupations Code, and Transportation Code to require certain fees, civil penalties, and money, as applicable, to be deposited to the credit of the TxDMV fund, including some amounts that are currently deposited to the credit of the state highway fund.

C.S.H.B. 2202 amends the Finance Code to make conforming changes.

C.S.H.B. 2202 repeals the following provisions of the Transportation Code:

- Section 520.008
- Section 520.009
- Section 520.0091
- Section 520.0092

EFFECTIVE DATE

Except as otherwise provided, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2202 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 232.014(b), Family Code, is amended.	SECTION 1. Same as introduced version.
No equivalent provision.	SECTION 2. Section 348.005, Finance Code, is amended to read as follows: Sec. 348.005. ITEMIZED CHARGE. An amount in a retail installment contract is an itemized charge if the amount is not included in the cash price and is the amount of:

No equivalent provision.

SECTION 2. Section 2301.156, Occupations Code, is amended.

SECTION 3. Section 2301.801(c), Occupations Code, is amended.

SECTION 4. Section 501.0234(b), Transportation Code, is amended to read as follows:

(b) This section does not apply to a motor vehicle:

(1) that has been declared a total loss by an insurance company in the settlement or adjustment of a claim;

(2) for which the title has been surrendered in exchange for:

(A) a salvage vehicle title or salvage record of title issued under this chapter;

(B) a nonrepairable vehicle title or

(1) fees for registration, certificate of title, and license and any additional registration fees charged by a ~~[full-service]~~ deputy as authorized by rules adopted under Section 520.0071 ~~[502.114]~~, Transportation Code;

(2) any taxes;

(3) fees or charges prescribed by law and connected with the sale or inspection of the motor vehicle; and

(4) charges authorized for insurance, service contracts, warranties, or a debt cancellation agreement by Subchapter C.

SECTION 3. Section 353.006, Finance Code, is amended to read as follows:

Sec. 353.006. ITEMIZED CHARGE. An amount in a retail installment contract is an itemized charge if the amount is not included in the cash price and is the amount of:

(1) fees for registration, certificate of title, and license and any additional registration fees charged by a ~~[full-service]~~ deputy as authorized by rules adopted under Section 520.0071 ~~[502.114]~~, Transportation Code;

(2) any taxes;

(3) fees or charges prescribed by law and connected with the sale or inspection of the commercial vehicle;

(4) charges authorized for insurance, service contracts, and warranties by Subchapter C; and

(5) advances or payments authorized under Section 353.402(b) or (c) made by the retail seller to or for the benefit of the retail buyer.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Section 501.0234(b), Transportation Code, is amended to read as follows:

(b) This section does not apply to a motor vehicle:

(1) that has been declared a total loss by an insurance company in the settlement or adjustment of a claim;

(2) for which the title has been surrendered in exchange for:

(A) a salvage vehicle title or salvage record of title issued under this chapter;

(B) a nonrepairable vehicle title or

nonrepairable vehicle record of title issued under this chapter or Subchapter D, Chapter 683; or

(C) an ownership document issued by another state that is comparable to a document described by Paragraph (A) or (B);

(3) with a gross weight in excess of 11,000 pounds; or

(4) purchased by a commercial fleet buyer who

is a **full-service** deputy authorized by rules adopted under Section 520.0071 [520.008] **and who** utilizes the dealer title application process developed to provide a method to submit title transactions to the county in which the commercial fleet buyer is a **full-service** deputy.

SECTION 5. Section 501.033(c), Transportation Code, is amended.

SECTION 6. Section 501.076(c), Transportation Code, is amended.

SECTION 7. Section 501.097(d), Transportation Code, is amended.

SECTION 8. Section 501.134(a), Transportation Code, is amended.

SECTION 9. Section 501.138(c), Transportation Code, is amended to read as follows:

nonrepairable vehicle record of title issued under this chapter or Subchapter D, Chapter 683; or

(C) an ownership document issued by another state that is comparable to a document described by Paragraph (A) or (B);

(3) with a gross weight in excess of 11,000 pounds; or

(4) purchased by a commercial fleet buyer who:

(A) is a **full-service** deputy authorized by rules adopted under Section 520.0071;

(B) ~~[520.008 and who]~~ utilizes the dealer title application process developed to provide a method to submit title transactions to the county in which the commercial fleet buyer is a **full-service** deputy; and

(C) has authority to accept an application for registration and application for title transfer that the county assessor-collector may accept.

SECTION 7. Same as introduced version.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.

SECTION 10. Same as introduced version.

SECTION 11. Sections 501.138(b-2) and (c), Transportation Code, are amended to read as follows:

(b-2) The comptroller shall establish a record of the amount of the fees deposited to the credit of the Texas Mobility Fund under Subsection (b-1). On or before the fifth workday of each month, the Texas Department of Transportation [department] shall remit to the comptroller for deposit to the credit of the Texas emissions reduction plan fund an amount of money equal to the amount of the fees deposited by the comptroller to the credit of the Texas Mobility Fund under Subsection (b-1) in the preceding month. The Texas Department of Transportation [department] shall use for remittance to the comptroller as required by this subsection money in the state highway fund that is not required to be used for a

(c) Of the amount received under Subsection (b)(2), the department shall deposit:
(1) \$5 in the general revenue fund; and
(2) \$3 to the credit of the Texas Department of Motor Vehicles ~~[state-highway]~~ fund to recover the expenses necessary to administer this chapter.

SECTION 10. Section 501.148(b), Transportation Code, is amended.

SECTION 11. Section 501.178, Transportation Code, is amended.

SECTION 12. Section 502.058, Transportation Code, is amended by adding Subsection (c) to read as follows:
(c) A fee collected under Subsection (a) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

SECTION 13. Section 502.060, Transportation Code, is amended.

SECTION 14. Section 502.094(h), Transportation Code, is amended.

SECTION 15. Section 502.146(a), Transportation Code, is.

SECTION 16. Section 502.191, Transportation Code, is amended.

SECTION 17. Subchapter E, Chapter 502, Transportation Code, is amended.

SECTION 18. Section 502.192, Transportation Code, is amended.

SECTION 19. Sections 502.197(a) and (b), Transportation Code, are amended.

SECTION 20. Sections 502.198(a), (c), and (d), Transportation Code, are amended.

purpose specified by Section 7-a, Article VIII, Texas Constitution, and may not use for that remittance money received by this state under the congestion mitigation and air quality improvement program established under 23 U.S.C. Section 149.

(c) Of the amount received under Subsection (b)(2), the department shall deposit:
(1) \$5 in the general revenue fund; and
(2) \$3 to the credit of the Texas Department of Motor Vehicles ~~[state-highway]~~ fund to recover the expenses necessary to administer this chapter.

SECTION 12. Same as introduced version.

SECTION 13. Same as introduced version.

SECTION 14. Section 502.058, Transportation Code, is amended by adding Subsection (c) to read as follows:
(c) A fee collected by the department under Subsection (a) shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

SECTION 15. Same as introduced version.

SECTION 16. Same as introduced version.

SECTION 17. Same as introduced version.

SECTION 18. Same as introduced version.

SECTION 19. Same as introduced version.

SECTION 20. Same as introduced version.

SECTION 21. Same as introduced version.

SECTION 22. Same as introduced version.

SECTION 21. Section 502.1982, Transportation Code, is amended.

SECTION 22. Section 502.1984(a), Transportation Code, is amended.

SECTION 23. Section 502.356, Transportation Code, is amended to read as follows:

Sec. 502.356. AUTOMATED REGISTRATION AND TITLING SYSTEM. (a) In addition to other registration fees for a license plate or set of license plates or other device used as the registration insignia, a fee of \$1 shall be collected and shall be deposited into the Texas Department of Motor Vehicles fund.

(b) The department may use money collected under this section to provide for or enhance the automation of and the necessary infrastructure for:

(1) ~~[automated]~~ on-premises and off-premises registration and permitting; [and]

(2) services related to the titling of vehicles; and

(3) licensing and enforcement procedures.

SECTION 24. Section 502.405(c), Transportation Code, is amended.

SECTION 25. Section 503.007(d), Transportation Code, is amended.

SECTION 26. Section 503.008(d), Transportation Code, is amended.

SECTION 27. Section 503.012, Transportation Code, is amended.

SECTION 28. Section 503.0615(f), Transportation Code, is.

SECTION 29. Section 503.0618, Transportation Code, is amended.

SECTION 30. Section 503.063(g), Transportation Code, is amended.

SECTION 31. Section 503.065, Transportation Code, is amended.

SECTION 23. Same as introduced version.

SECTION 24. Same as introduced version.

SECTION 25. Section 502.356, Transportation Code, is amended to read as follows:

Sec. 502.356. AUTOMATED REGISTRATION AND TITLING SYSTEM. (a) In addition to other registration fees for a license plate or set of license plates or other device used as the registration insignia, the board by rule shall adopt a fee of not less than 50 cents and not more than \$1. The fee shall be collected and deposited into a subaccount in the Texas Department of Motor Vehicles fund.

(b) The department may use money collected under this section to provide for or enhance the automation of and the necessary infrastructure for:

(1) ~~[automated]~~ on-premises and off-premises registration and permitting, including permitting under Subtitle E; [and]

(2) services related to the titling of vehicles; and

(3) licensing and enforcement procedures.

SECTION 26. Same as introduced version.

SECTION 27. Same as introduced version.

SECTION 28. Same as introduced version.

SECTION 29. Same as introduced version.

SECTION 30. Same as introduced version.

SECTION 31. Same as introduced version.

SECTION 32. Same as introduced version.

SECTION 33. Same as introduced version.

SECTION 32. Section 504.002, Transportation Code, is amended.

SECTION 33. Section 504.007(c), Transportation Code, is amended.

SECTION 34. Sections 504.009(b) and (c), Transportation Code, are amended.

SECTION 35. Section 504.647(b), Transportation Code, is amended.

SECTION 36. Section 504.801(e), Transportation Code, is amended.

SECTION 37. Section 504.851(j), Transportation Code, is amended.

SECTION 38. Section 520.001, Transportation Code, is amended.

SECTION 39. Section 520.005(c), Transportation Code, is amended to read as follows:

(c) ~~The [Notwithstanding the requirements of Sections 520.008 and 520.0091, the]~~ assessor-collector may license franchised and non-franchised motor vehicle dealers to title and register motor vehicles in accordance with rules adopted under Section 520.004. The county assessor-collector may pay a fee to a motor vehicle dealer independent of or as part of the portion of the fees that would be collected by the county for each title and registration receipt issued.

SECTION 40. Section 520.006(a), Transportation Code, is amended.

SECTION 41. Subchapter A, Chapter 520, Transportation Code, is amended by adding Section 520.0071 to read as follows:

Sec. 520.0071. DEPUTIES. (a) The board by rule shall prescribe:

(1) the classification types of deputies performing titling and registration duties;
(2) the duties and obligations of deputies; and
(3) the type and amount of any bonds that may be required by a county assessor-collector for a deputy to perform titling and registration duties.

(b) A county assessor-collector, with the

SECTION 34. Same as introduced version.

SECTION 35. Same as introduced version.

SECTION 36. Same as introduced version.

SECTION 37. Same as introduced version.

SECTION 38. Same as introduced version.

SECTION 39. Same as introduced version.

SECTION 40. Same as introduced version.

SECTION 41. Section 520.005(c), Transportation Code, is amended to read as follows:

(c) ~~Notwithstanding the requirements of~~ Section 520.0071 ~~[Sections 520.008 and 520.0091]~~, the assessor-collector may license franchised and non-franchised motor vehicle dealers to title and register motor vehicles in accordance with rules adopted under Section 520.004. The county assessor-collector may pay a fee to a motor vehicle dealer independent of or as part of the portion of the fees that would be collected by the county for each title and registration receipt issued.

SECTION 42. Same as introduced version.

SECTION 43. Subchapter A, Chapter 520, Transportation Code, is amended by adding Section 520.0071 to read as follows:

Sec. 520.0071. DEPUTIES. (a) The board by rule shall prescribe:

(1) the classification types of deputies performing titling and registration duties;
(2) the duties and obligations of deputies;
(3) the type and amount of any bonds that may be required by a county assessor-collector for a deputy to perform titling and registration duties; and
(4) the fees that may be charged or retained by deputies.

(b) A county assessor-collector, with the

approval of the commissioners court of the county, may deputize an individual or business entity to perform titling and registration services in accordance with rules adopted under Subsection (a).

SECTION 42. Section 520.0093(e), Transportation Code, is amended.

SECTION 43. Section 520.016(c), Transportation Code, is amended.

SECTION 44. Sections 621.351(a) and (c), Transportation Code, are amended.

SECTION 45. Section 621.352(a), Transportation Code, is amended.

SECTION 46. Section 621.353(a), Transportation Code, is amended.

SECTION 47. Section 621.354, Transportation Code, is amended.

SECTION 48. Section 623.0111(c), Transportation Code, is amended.

SECTION 49. Sections 623.014(c) and (d), Transportation Code, are amended.

SECTION 50. Sections 623.0711(g) and (h), Transportation Code, are amended.

SECTION 51. Section 623.076, Transportation Code, is amended.

SECTION 52. Section 623.077(b), Transportation Code, is amended.

SECTION 53. Sections 623.096(a) and (c), Transportation Code, are amended.

SECTION 54. Section 623.124(b), Transportation Code, is amended.

SECTION 55. Section 623.147, Transportation Code, is amended.

SECTION 56. Section 623.182(b), Transportation Code, is amended.

SECTION 57. Section 623.197, Transportation Code, is amended.

approval of the commissioners court of the county, may deputize an individual or business entity to perform titling and registration services in accordance with rules adopted under Subsection (a).

SECTION 44. Same as introduced version.

SECTION 45. Same as introduced version.

SECTION 46. Same as introduced version.

SECTION 47. Same as introduced version.

SECTION 48. Same as introduced version.

SECTION 49. Same as introduced version.

SECTION 50. Same as introduced version.

SECTION 51. Same as introduced version.

SECTION 52. Same as introduced version.

SECTION 53. Same as introduced version.

SECTION 54. Same as introduced version.

SECTION 55. Same as introduced version.

SECTION 56. Same as introduced version.

SECTION 57. Same as introduced version.

SECTION 58. Same as introduced version.

SECTION 59. Same as introduced version.

SECTION 58. Section 623.273, Transportation Code, is amended.

SECTION 59. Section 643.004(b), Transportation Code, is amended.

SECTION 60. Section 645.002(c), Transportation Code, is amended.

SECTION 61. Section 646.001, Transportation Code, is amended.

SECTION 62. Sections 646.003(a) and (c), Transportation Code, are amended.

SECTION 63. Section 681.005, Transportation Code, is amended.

SECTION 64. Section 683.052(d), Transportation Code, is amended.

SECTION 65. Section 1001.007(b), Transportation Code, is amended.

SECTION 66. Section 1001.009(d), Transportation Code, is amended.

No equivalent provision.

SECTION 67. Chapter 1001, Transportation Code, is amended.

SECTION 68. Sections 520.008, 520.009, 520.0091, and 520.0092, Transportation

SECTION 60. Same as introduced version.

SECTION 61. Same as introduced version.

SECTION 62. Same as introduced version.

SECTION 63. Same as introduced version.

SECTION 64. Same as introduced version.

SECTION 65. Same as introduced version.

SECTION 66. Same as introduced version.

SECTION 67. Same as introduced version.

SECTION 68. Same as introduced version.

SECTION 69. Subchapter A, Chapter 1001, Transportation Code, is amended by adding Section 1001.013 to read as follows:
Sec. 1001.013. PERFORMANCE OF CERTAIN DEPARTMENT FUNCTIONS BY AUTHORIZED BUSINESS. (a) The executive director of the department may authorize a business entity to perform a department function in accordance with rules adopted under Subsection (b).
(b) The board by rule shall prescribe:
(1) the classification types of businesses that are authorized to perform certain department functions;
(2) the duties and obligations of an authorized business;
(3) the type and amount of any bonds that may be required for a business to perform certain functions; and
(4) the fees that may be charged or retained by a business authorized under this section.

SECTION 70. Same as introduced version.

SECTION 71. Same as introduced version.

Code, are repealed.

SECTION 69. (a) On September 1, 2013, existing revenue from fees collected or received by the Texas Department of Motor Vehicles and any other revenue dedicated to the Texas Department of Motor Vehicles shall be transferred to and deposited in the fund established under Section 1001.151, Transportation Code, as added by this Act.

(b) Money deposited to the credit of the Texas Department of Motor Vehicles fund that is, on September 1, 2013, being used as collateral or a source of payment for the repayment of any loans, bonds, credit agreements, public securities, or other obligations remains subject to being used as collateral or a source of payment for those obligations. An obligation described by this subsection must first be paid from the state highway fund. The Texas Department of Motor Vehicles fund is subject to the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

(c) A deputy appointed under Section 520.0091, Transportation Code, on or before August 31, 2013, may continue to perform the services authorized under Sections 520.008, 520.009, 520.0091, and 520.0092, Transportation Code, until the Texas Department of Motor Vehicles Board adopts rules regarding the types of deputies authorized to perform titling and registration duties under Section 520.0071, Transportation Code, as added by this Act.

SECTION 70. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2013.

(b) Sections 502.197(a) and (b) and 520.006, Transportation Code, as amended by this Act, take effect on the date the board of the Texas Department of Motor Vehicles adopts the registration processing and handling fee under Section 502.1911, Transportation Code, as added by this Act.

SECTION 72. (a) On September 1, 2013, \$59 million of existing revenue from fees collected or received by the Texas Department of Motor Vehicles under Section 502.356, Transportation Code, and former Section 502.1705, Transportation Code, from November 1, 2009, to August 31, 2013, shall be transferred to and deposited in the fund established under Section 1001.151, Transportation Code, as added by this Act.

(b) To the extent that revenue required to be deposited to the credit of the Texas Department of Motor Vehicles fund under Subsection (a) of this section was, before September 1, 2013, being used as collateral or a source of payment for the repayment of any loans, bonds, credit agreements, public securities, or other obligations, that revenue remains subject to being used as collateral or a source of payment for those obligations. However, an obligation described by this subsection must first be paid from the state highway fund, and the Texas Department of Motor Vehicles fund is subject to the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

(c) A deputy appointed under Section 520.0091, Transportation Code, on or before August 31, 2013, may continue to perform the services authorized under Sections 520.008, 520.009, 520.0091, and 520.0092, Transportation Code, until the effective date of the rules adopted by the board of the Texas Department of Motor Vehicles regarding the types of deputies authorized to perform titling and registration duties under Section 520.0071, Transportation Code, as added by this Act.

SECTION 73. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2013.

(b) Sections 502.197(a) and (b) and 520.006, Transportation Code, as amended by this Act, take effect on the effective date of rules adopted by the board of the Texas Department of Motor Vehicles regarding the registration processing and handling fee under Section 502.1911, Transportation Code, as added by this Act.