

By: Collier

H.B. No. 2169

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requiring used motor vehicle dealers to inspect  
3 vehicles for sale to consumers for certain defects; creating a  
4 civil penalty.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter M, Chapter 2301, Occupations Code, is  
7 amended by adding Section 2301.614 to read as follows:

8 Sec. 2301.614. INSPECTION AND NOTICE OF CERTAIN USED MOTOR  
9 VEHICLE DEFECTS. (a) In this section:

10 (1) "Federal buyers guide" means the "Buyers Guide"  
11 required under 16 C.F.R. Section 455.2.

12 (2) "Used motor vehicle" means a motor vehicle that  
13 has been the subject of a first sale.

14 (b) A used motor vehicle dealer must inspect each used motor  
15 vehicle the dealer offers for sale to a consumer for any major  
16 defect listed on the federal buyers guide.

17 (c) Any defect identified as the result of an inspection  
18 under Subsection (b) must be prominently and conspicuously  
19 highlighted on the federal buyers guide.

20 (d) A person who violates this section is liable to the  
21 state for a civil penalty in an amount not to exceed \$500 for each  
22 violation. The attorney general or the appropriate prosecuting  
23 attorney in the county in which the violation occurs may bring an  
24 action to recover the civil penalty imposed under this section.

1           SECTION 2. The change in law made by this Act applies only  
2 to the sale of a used motor vehicle by a dealer to a consumer that  
3 occurs on or after the effective date of this Act. The sale of a used  
4 motor vehicle by a dealer to a consumer before the effective date of  
5 this Act is governed by the law as it existed immediately before the  
6 effective date of this Act, and that law is continued in effect for  
7 that purpose.

8           SECTION 3. This Act takes effect September 1, 2015.