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H.B. No. 1693

A BILL TO BE ENTITLED

1 AN ACT

2 relating to documentation for a motor vehicle title.

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

4 SECTION 1. Section 152.062, Tax Code, is amended by adding
5 Subsection (d) to read as follows:

6 (d) A seller of a motor vehicle is not required to complete a
7 joint statement described by this section if:

8 (1) the seller does not hold a general distinguishing
9 number issued under Chapter 503, Transportation Code; and

10 (2) the seller has complied with Section 501.028 or
11 501.072, Transportation Code, as applicable.

12 SECTION 2. Section 501.028, Transportation Code, is amended
13 to read as follows:

14 Sec. 501.028. SIGNATURES [~~OWNER'S SIGNATURE~~]. (a) On
15 receipt of a certificate of title, the owner of a motor vehicle
16 shall write the owner's name in ink in the space provided on the
17 certificate.

18 (b) Upon transfer of ownership, the seller shall complete
19 assignment of title by signing and printing the seller's name,
20 printing the date of transfer, and printing the purchaser's name
21 and address on the title.

22 SECTION 3. Section 501.072, Transportation Code, is amended
23 to read as follows:

24 Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except

1 as provided by Subsection (c), the transferor [~~seller~~] of a motor
2 vehicle transferred [~~sold~~] in this state shall provide to the
3 transferee [~~buyer, on a form prescribed by the department,~~] a
4 [~~written~~] disclosure of the vehicle's odometer reading at the time
5 of the transfer in compliance with 49 U.S.C. Section 32705 [~~sale.~~
6 ~~The form must include space for the signature and printed name of~~
7 ~~both the seller and buyer~~].

8 (b) When application for a [~~certificate of~~] title is made,
9 the transferee [~~owner~~] shall record the [~~current~~] odometer reading
10 on the application. The [~~written~~] disclosure required by
11 Subsection (a) must accompany the application.

12 (c) An odometer disclosure statement is not required for the
13 transfer [~~sale~~] of a motor vehicle that is exempt from odometer
14 disclosure requirements under 49 C.F.R. Part 580 [+

15 [~~(1) has a manufacturer's rated carrying capacity of~~
16 ~~more than two tons,~~

17 [~~(2) is not self-propelled,~~

18 [~~(3) is 10 or more years old,~~

19 [~~(4) is sold directly by the manufacturer to an agency~~
20 ~~of the United States government in conformity with contractual~~
21 ~~specifications, or~~

22 [~~(5) is a new motor vehicle~~].

23 (d) The department shall provide for use consistent with 49
24 C.F.R. Part 580:

25 (1) a secure power of attorney form; and

26 (2) a secure reassignment form for licensed motor
27 vehicle dealers.

1 (e) In this section, "transferee" and "transferor" have the
2 meanings assigned by 49 C.F.R. Section 580.3.

3 SECTION 4. Section 501.174, Transportation Code, is amended
4 by amending Subsection (b) and adding Subsections (d), (e), and (f)
5 to read as follows:

6 (b) Except as otherwise provided by this section, if [~~if~~] a
7 law requires that a document be signed, the requirement is
8 satisfied by an electronic signature.

9 (d) The department by rule shall establish a process to
10 accept electronic signatures on secure documents which have been
11 electronically signed through a system not controlled by the
12 department.

13 (e) A system used for submitting electronic signatures to
14 the department must verify the identity of the person
15 electronically signing a document and submit the document through
16 the electronic titling system.

17 (f) This section does not require the department to certify
18 an electronic signature process or an electronic signature vendor
19 before accepting a document that is executed with an electronic
20 signature.

21 SECTION 5. Not later than January 1, 2019, the Texas
22 Department of Motor Vehicles shall adopt rules necessary to
23 implement Section 501.174(d), Transportation Code, as added by this
24 Act.

25 SECTION 6. This Act takes effect January 1, 2018.