

By: Dean, Larson, Paddie, Wray,
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H.B. No. 1693

Substitute the following for H.B. No. 1693:

By: Thompson of Harris

C.S.H.B. No. 1693

A BILL TO BE ENTITLED

AN ACT

1
2 relating to documentation for the transfer of a motor vehicle
3 title.

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

5 SECTION 1. Section 501.072, Transportation Code, is amended
6 to read as follows:

7 Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except
8 as provided by Subsection (c), the transferor [~~seller~~] of a motor
9 vehicle [~~sold~~] in this state shall provide to the transferee
10 [~~buyer, on a form prescribed by the department,~~] a [~~written~~]
11 disclosure of the vehicle's odometer reading at the time of the
12 transfer in compliance with 49 U.S.C. Section 32705 [~~sale. The form~~
13 ~~must include space for the signature and printed name of both the~~
14 ~~seller and buyer~~].

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

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

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

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

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

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

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

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

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

9 (2) a secure reassignment form for licensed motor
10 vehicle dealers.

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

13 SECTION 2. Subchapter D, Chapter 501, Transportation Code,
14 is amended by adding Section 501.077 to read as follows:

15 Sec. 501.077. FORMS; VERIFICATION. (a) The department
16 shall provide in electronic and paper formats and for use
17 consistent with 49 C.F.R. Part 580:

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

19 (2) a secure reassignment form for licensed motor
20 vehicle dealers.

21 (b) This section does not require the department to certify
22 an electronic signature process or an electronic signature vendor
23 before accepting a form described by Subsection (a) that is
24 executed with an electronic signature.

25 SECTION 3. This Act takes effect January 1, 2018.