

By: Perry
(Dean)

S.B. No. 1062

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

~~[(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. Section 501.174, Transportation Code, is amended
14 by amending Subsection (b) and adding Subsections (d), (e), and (f)
15 to read as follows:

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

19 (d) The department by rule shall establish a process to
20 accept electronic signatures on secure documents that have been
21 electronically signed through a system not controlled by the
22 department.

23 (e) A system used for submitting electronic signatures to
24 the department must verify the identity of the person
25 electronically signing a document and submit the document through
26 the electronic titling system.

27 (f) This section does not require the department to certify

1 an electronic signature process or an electronic signature vendor
2 before accepting a document that is executed with an electronic
3 signature.

4 SECTION 3. Not later than January 1, 2019, the Texas
5 Department of Motor Vehicles shall adopt rules necessary to
6 implement Section 501.174(d), Transportation Code, as added by this
7 Act.

8 SECTION 4. This Act takes effect January 1, 2018.