

By: Guillen

H.B. No. 3760

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the disposition of surplus vehicles by a governmental  
3 agency.

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

5 SECTION 1. Section 503.063, Transportation Code, is amended  
6 to read as follows:

7 Sec. 503.063. BUYER'S TEMPORARY TAGS. (a) Except as  
8 provided by this section, a dealer or federal, state, or local  
9 governmental agency exempt from the requirements to obtain a dealer  
10 general distinguishing number under Section 503.024(a)(2) shall  
11 issue to a person who buys a vehicle one temporary buyer's tag for  
12 the vehicle.

13 (b) Except as provided by this section, the buyer's tag is  
14 valid for the operation of the vehicle until the earlier of:

15 (1) the date on which the vehicle is registered; or

16 (2) the 60th day after the date of purchase.

17 (c) The dealer or federal, state, or local governmental  
18 agency:

19 (1) must show in ink on the buyer's tag the actual date  
20 of sale and any other required information; and

21 (2) is responsible for displaying the tag.

22 (d) The dealer or federal, state, or local governmental  
23 agency is responsible for the safekeeping and distribution of each  
24 buyer's tag the dealer or federal, state, or local governmental

1 agency obtains.

2 (e) The department may not issue a buyer's tag or contract  
3 for the issuance of a buyer's tag but shall prescribe:

4 (1) the specifications, color, and form of a buyer's  
5 tag; and

6 (2) procedures for a dealer or federal, state, or  
7 local governmental agency to:

8 (A) generate a vehicle-specific number using the  
9 database developed under Section 503.0631 and assign it to each  
10 tag;

11 (B) generate a vehicle-specific number using the  
12 database developed under Section 503.0631 for future use for when a  
13 dealer or federal, state, or local governmental agency is unable to  
14 access the Internet at the time of sale; and

15 (C) clearly display the vehicle-specific number  
16 on the tag.

17 (f) The department shall ensure that a dealer or federal,  
18 state, or local governmental agency may generate in advance a  
19 sufficient amount of vehicle-specific numbers under Subsection  
20 (e)(2)(B) in order to continue selling vehicles for a period of up  
21 to one week in which a dealer or federal, state, or local  
22 governmental agency is unable to access the Internet due to an  
23 emergency. The department shall establish an expedited procedure  
24 to allow affected dealers or federal, state, or local governmental  
25 agency to apply for additional vehicle-specific numbers so they may  
26 remain in business during an emergency.

27 (g) For each buyer's temporary tag, a dealer shall charge

1 the buyer a registration fee of not more than \$5 as prescribed by  
2 the department to be sent to the comptroller for deposit to the  
3 credit of the Texas Department of Motor Vehicles fund. A federal,  
4 state, or local governmental agency is not required to charge the  
5 fee prescribed under this Subsection.

6 SECTION 2. Section 503.0631, Transportation Code, is  
7 amended to read as follows:

8 Sec. 503.0631. BUYER'S TEMPORARY TAG DATABASE.

9 (c) Except as provided by Subsection (d), before a buyer's  
10 temporary tag may be displayed on a vehicle, a dealer or federal,  
11 state, or local governmental agency must enter into the database  
12 through the Internet information about the buyer of the vehicle for  
13 which the tag was issued as prescribed by the department and  
14 generate a vehicle-specific number for the tag as required by  
15 Section 503.063(e). The department may not deny access to the  
16 database to any dealer who holds a general distinguishing number  
17 issued under this chapter or who is licensed under Chapter 2301,  
18 Occupations Code.

19 (d) A dealer or federal, state, or local governmental agency  
20 shall obtain 24-hour Internet access at its place of business or  
21 operation, but if the dealer or federal, state, or local  
22 governmental agency is unable to access the Internet at the time of  
23 the sale of a vehicle, the dealer or federal, state, or local  
24 governmental agency shall complete and sign a form, as prescribed  
25 by the department, that states the dealer or federal, state, or  
26 local governmental agency has Internet access, but was unable to  
27 access the Internet at the time of sale. The buyer shall keep the

1 original copy of the form in the vehicle until the vehicle is  
2 registered to the buyer. Not later than the next business day after  
3 the time of sale, the dealer or federal, state, or local  
4 governmental agency shall submit the information required under  
5 Subsection (c).

6 SECTION 3. This Act takes effect September 1, 2019.