87R21046 JAM-D

By:  Fierro H.B. No. 2306

Substitute the following for H.B. No. 2306:

By:  Martinez C.S.H.B. No. 2306

A BILL TO BE ENTITLED

AN ACT

relating to the denial of the registration of a motor vehicle based on certain information provided by a county to the Texas Department of Motor Vehicles.

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

SECTION 1.  Section 502.010, Transportation Code, is amended by amending Subsections (a), (b), (c), (d), (f), and (f-1) and adding Subsections (a-1) and (k) to read as follows:

(a)  Except as otherwise provided by this section, a county assessor-collector [~~or the department~~] may refuse to register a motor vehicle if the assessor-collector [~~or the department~~] receives information that the owner of the vehicle:

(1)  owes the county money for a fine, fee, or tax that is past due; or

(2)  failed to appear in connection with a complaint, citation, information, or indictment in a court in the county in which a criminal proceeding is pending against the owner.

(a-1)  If the department determines that a county assessor-collector is authorized to refuse to register a vehicle under Subsection (a):

(1)  the vehicle may not be registered through an online system designated by the department under Section 520.005(d); and

(2)  the department shall refuse to register the vehicle through an online system that is available to the public.

(b)  The [~~A county may contract with the~~] department shall develop and implement a system through which counties may [~~to~~] provide information to the department necessary to make a determination under Subsection (a-1) [~~(a)~~]. The system developed under this section must:

(1)  verify in real time the information described by Subsection (a) by searching against the vehicle owner's driver's license number, date of birth, or other information provided to the department; and

(2)  be used for the registration of a vehicle conducted through the department's Internet website.

(c)  A county that provides information [~~has a contract~~] under Subsection (b) shall immediately notify the department regarding a person for whom the county assessor-collector or the department has refused to register a motor vehicle on:

(1)  the person's payment or other means of discharge, including a waiver, of the past due fine, fee, or tax; or

(2)  perfection of an appeal of the case contesting payment of the fine, fee, or tax.

(d)  After notice is received under Subsection (c), the county assessor-collector or the department may not refuse to register the motor vehicle under Subsection (a) or (a-1).

(f)  Except as otherwise provided by this section, a county [~~that has a contract under Subsection (b)~~] may impose an additional reimbursement fee of $20 to:

(1)  a person who fails to pay a fine, fee, or tax to the county by the date on which the fine, fee, or tax is due; or

(2)  a person who fails to appear in connection with a complaint, citation, information, or indictment in a court in which a criminal proceeding is pending against the owner.

(f-1)  The additional reimbursement fee may be used only to reimburse [~~the department or~~] the county assessor-collector for its expenses for providing services under this section [~~the contract~~], or another county department for expenses related to services under this section [~~the contract~~].

(k)  Notwithstanding any other provision of law, the department:

(1)  may collect information necessary to implement this section, including a vehicle owner's driver's license number or date of birth; and

(2)  may not disclose any personal identifying information collected under this section, including a vehicle owner's driver's license number or date of birth.

SECTION 2.  Section 502.010(e), Transportation Code, is repealed.

SECTION 3.  The Texas Department of Motor Vehicles shall implement the system required by Section 502.010(b), Transportation Code, as amended by this Act, not later than September 1, 2022.

SECTION 4.  Section 502.010, Transportation Code, as amended by this Act, applies only to an application for motor vehicle registration or registration renewal received by the Texas Department of Motor Vehicles on or after the effective date of this Act. An application for registration or registration renewal that was received before the effective date of this Act is governed by the law in effect on the date the application was received, and the former law is continued in effect for that purpose.

SECTION 5.  (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2022.

(b)  Section 3 of this Act takes effect September 1, 2021.