87R18355 DRS-F

By:  Thompson of Brazoria H.B. No. 4276

Substitute the following for H.B. No. 4276:

By:  Martinez C.S.H.B. No. 4276

A BILL TO BE ENTITLED

AN ACT

relating to the management of temporary tags that may be obtained by a motor vehicle dealer or converter.

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

SECTION 1.  Section 503.0626(a), Transportation Code, is amended to read as follows:

(a)  The department shall develop, manage, and maintain a secure, real-time database of information on vehicles to which dealers and converters have affixed temporary tags. [~~The database shall be managed by the vehicle titles and registration division of the department.~~]

SECTION 2.  Section 503.0631(a), Transportation Code, is amended to read as follows:

(a)  The department shall develop, manage, and maintain a secure, real-time database of information on persons to whom temporary buyer's tags are issued that may be used by a law enforcement agency in the same manner that the agency uses vehicle registration information. [~~The database shall be managed by the vehicle titles and registration division of the department.~~]

SECTION 3.  Subchapter C, Chapter 503, Transportation Code, is amended by adding Section 503.0632 to read as follows:

Sec. 503.0632.  MAXIMUM NUMBER OF TEMPORARY TAGS. (a) The department by rule may establish the maximum number of temporary tags that a dealer or converter may obtain under Section 503.062, 503.0625, 503.0626, 503.063, or 503.0631.

(b)  The maximum number of temporary tags that the department determines a dealer or converter may obtain under this section must be based on the dealer's or converter's anticipated need for temporary tags, taking into consideration:

(1)  the dealer's or converter's:

(A)  time in operation;

(B)  sales data; and

(C)  expected growth;

(2)  expected changes in the dealer's or converter's market; and

(3)  temporary conditions that may affect sales by the dealer or converter.

(c)  At the request of a dealer or converter, the department may authorize additional temporary tags of any type for the dealer or converter if the dealer or converter demonstrates a need for additional temporary tags resulting from business operations, including anticipated need.

(d)  The department's denial of a request under Subsection (c) may be overturned if a dealer or converter shows by a preponderance of the evidence the need for additional temporary tags.

SECTION 4.  This Act takes effect September 1, 2021.