

By: Nichols

S.B. No. 1344

A BILL TO BE ENTITLED

AN ACT

relating to the advertising of certain used motor vehicles.

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

SECTION 1. Subchapter H, Chapter 2301, Occupations Code, is amended by adding Section 2301.364 to read as follows:

Sec. 2301.364. ADVERTISING BY DEALERS OF CERTAIN USED MOTOR VEHICLES. (a) Notwithstanding any other law, a dealer may advertise for sale a specific used motor vehicle that is not in the possession of the dealer at the time the advertisement is placed if the advertisement:

(1) clearly and conspicuously discloses that the vehicle is not in the possession of the dealer;

(2) states that the motor vehicle may be obtained within a reasonable time from the manufacturer, the distributor, a manufacturer- or distributor-affiliated financial institution, or a licensed motor vehicle auction; and

(3) includes the vehicle identification number of the specific motor vehicle, if the price of the vehicle is advertised.

(b) A dealer may include in an advertisement under this section a statement indicating that a vehicle may be subject to prior sale and that a consumer should contact the dealer for availability and final pricing.

SECTION 2. This Act takes effect September 1, 2023.