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Chapter 969

S.B. No. 2076

AN ACT

relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.

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

SECTION 1. Section 152.062, Tax Code, is amended by adding Subsection (d) to read as follows:

(d) A seller of a motor vehicle is not required to complete a joint statement described by this section if:

(1) the seller does not hold a general distinguishing number issued under Chapter 503, Transportation Code; and

(2) the seller has complied with Section 501.028 or 501.072, Transportation Code, as applicable.

SECTION 2. Section 501.002(30), Transportation Code, is amended to read as follows:

(30) "Travel trailer" means a house trailer-type vehicle or a camper trailer:

(A) that is a recreational vehicle defined under 24 C.F.R. Section 3282.8(g); or

(B) that:

(i) is less than eight feet six inches in width or 45 [~~40~~] feet in length, exclusive of any hitch installed on the vehicle;

(ii) is designed primarily for use as temporary living quarters in connection with recreational,

1 camping, travel, or seasonal use;

2 (iii) is not used as a permanent dwelling;

3 and

4 (iv) is not a utility trailer, enclosed
5 trailer, or other trailer that does not have human habitation as its
6 primary function.

7 SECTION 3. Section 501.004(b), Transportation Code, is
8 amended to read as follows:

9 (b) This chapter does not apply to:

10 (1) a farm trailer or farm semitrailer with a gross
11 vehicle weight of not more than 34,000 pounds used only for the
12 transportation of farm products if the products are not transported
13 for hire;

14 (2) the filing or recording of a lien that is created
15 only on an automobile accessory, including a tire, radio, or
16 heater;

17 (3) a motor vehicle while it is owned or operated by
18 the United States; or

19 (4) a new motor vehicle on loan to a political
20 subdivision of the state for use only in a driver education course
21 conducted by an entity exempt from licensure under Section
22 1001.002, Education Code.

23 SECTION 4. Section 501.021(a), Transportation Code, is
24 amended to read as follows:

25 (a) A motor vehicle title issued by the department must
26 include:

27 (1) the legal name and address of each purchaser [~~and~~

1 ~~seller at the first sale or a subsequent sale];~~

2 (2) the legal name of the seller and the municipality
3 and state in which the seller is located or resides [~~make of the~~
4 ~~motor vehicle~~];

5 (3) the year, make, and body style [~~type~~] of the
6 vehicle;

7 (4) the [~~manufacturer's~~ permanent] vehicle
8 identification number of the vehicle [~~or the vehicle's motor number~~
9 ~~if the vehicle was manufactured before the date that stamping a~~
10 ~~permanent identification number on a motor vehicle was universally~~
11 ~~adopted~~];

12 (5) if the vehicle is subject to odometer disclosure
13 under Section 501.072, the odometer reading and odometer brand as
14 recorded on the last title assignment [~~serial number~~] for the
15 vehicle;

16 (6) the name and address of each lienholder and the
17 date of each lien on the vehicle, listed in the chronological order
18 in which the lien was recorded;

19 (7) a statement indicating rights of survivorship
20 under Section 501.031; and

21 (8) [~~if the vehicle has an odometer, the odometer~~
22 ~~reading at the time of application for the title, and~~

23 [~~9~~] any other information required by the
24 department.

25 SECTION 5. Section 501.023(a), Transportation Code, is
26 amended to read as follows:

27 (a) The owner of a motor vehicle must present identification

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1 and apply for a title as prescribed by the department, unless
2 otherwise exempted by law. To obtain a title, the owner must apply:

3 (1) to the county assessor-collector in the county in
4 which:

5 (A) the owner is domiciled; or

6 (B) the motor vehicle is purchased or encumbered;

7 or

8 ~~(2) [if the county in which the owner resides has been~~
9 ~~declared by the governor as a disaster area, to the county~~
10 ~~assessor-collector in one of the closest unaffected counties to a~~
11 ~~county that asks for assistance and:~~

12 ~~[(A) continues to be declared by the governor as~~
13 ~~a disaster area because the county has been rendered inoperable by~~
14 ~~the disaster, and~~

15 ~~[(B) is inoperable for a protracted period of~~
16 ~~time, or~~

17 ~~[(3) if the county assessor-collector's office of the~~
18 ~~county in which the owner resides is closed for a protracted period~~
19 ~~of time as defined by the department,] to the county~~
20 ~~assessor-collector of a county [that borders the county in which~~
21 ~~the owner resides] who is willing [~~agrees~~] to accept the~~
22 ~~application if the county assessor-collector's office of the county~~
23 ~~in which the owner resides is closed or may be closed for a~~
24 ~~protracted period of time as defined by the department.~~

25 SECTION 6. Section 501.028, Transportation Code, is amended
26 to read as follows:

27 Sec. 501.028. SIGNATURES [~~OWNER'S SIGNATURE~~]. (a) On

1 receipt of a certificate of title, the owner of a motor vehicle
2 shall write the owner's name in ink in the space provided on the
3 certificate.

4 (b) Upon transfer of ownership, the seller shall complete
5 assignment of title by signing and printing the seller's name,
6 printing the date of transfer, and printing the purchaser's name
7 and address on the title.

8 SECTION 7. Section 501.030(a), Transportation Code, is
9 amended to read as follows:

10 (a) Before a motor vehicle that was last registered or
11 titled in another state or country may be titled in this state, the
12 county assessor-collector shall verify that the vehicle has passed
13 the inspections required by Chapter 548, as indicated in the
14 Department of Public Safety's inspection database under Section
15 548.251, or that the owner has obtained an identification number
16 inspection in accordance with department rule.

17 SECTION 8. The heading to Section 501.032, Transportation
18 Code, is amended to read as follows:

19 Sec. 501.032. [~~ASSIGNMENT OF VEHICLE~~] IDENTIFICATION
20 NUMBER INSPECTION REQUIRED [~~BY DEPARTMENT~~].

21 SECTION 9. Sections 501.032(a) and (b), Transportation
22 Code, are amended to read as follows:

23 (a) In addition to any requirement established by
24 department rule, a motor vehicle, trailer, or semitrailer must have
25 an identification number inspection under Section 501.0321 if:

26 (1) the department does not have a motor vehicle
27 record for the motor vehicle, trailer, or semitrailer in the

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1 department's registration and title system, and the owner of the
2 motor vehicle, trailer, or semitrailer is filing a bond with the
3 department under Section 501.053;

4 (2) the motor vehicle, trailer, or semitrailer was
5 last titled or registered outside of the United States and imported
6 into the United States; or

7 (3) the owner or person claiming ownership requires an
8 assigned or reassigned identification number under Section 501.033
9 ~~[On proper application, the department shall assign a vehicle~~
10 ~~identification number to a travel trailer, a trailer or~~
11 ~~semitrailer, a frame, or an item of equipment, including a tractor,~~
12 ~~farm implement, unit of special mobile equipment, or unit of~~
13 ~~off-road construction equipment.~~

14 ~~[(1) on which a vehicle identification number was not~~
15 ~~die-stamped by the manufacturer,~~

16 ~~[(2) on which a vehicle identification number~~
17 ~~die-stamped by the manufacturer has been lost, removed, or~~
18 ~~obliterated, or~~

19 ~~[(3) for which a vehicle identification number was~~
20 ~~never assigned].~~

21 (b) An active duty member of a branch of the United States
22 armed forces, or an immediate family member of such a member,
23 returning to Texas with acceptable proof of the active duty status
24 is exempt from an identification number inspection required under
25 Subsection (a)(2) [The applicant shall die-stamp the assigned
26 vehicle identification number at the place designated by the
27 department on the travel trailer, trailer, semitrailer, frame, or

1 ~~equipment]~~.

2 SECTION 10. Subchapter B, Chapter 501, Transportation Code,
3 is amended by adding Sections 501.0321 and 501.0322 to read as
4 follows:

5 Sec. 501.0321. IDENTIFICATION NUMBER INSPECTION. (a) An
6 inspection required under Section 501.032 must verify, as
7 applicable, the identity of:

- 8 (1) a motor vehicle;
- 9 (2) a trailer or semitrailer;
- 10 (3) a frame, body, or motor of a motor vehicle; or
- 11 (4) an item of equipment not required to be titled but
12 that may be registered under Chapter 502 or issued licensed plates
13 under Chapter 504.

14 (b) An inspection under this section may not rely solely on
15 the public identification number to verify the identity.

16 (c) An inspection under this section may be performed only
17 by a person who has successfully completed an appropriate training
18 program as determined by department rule and is:

- 19 (1) an auto theft investigator who is a law
20 enforcement officer of this state or a political subdivision of
21 this state;
- 22 (2) a person working under the direct supervision of a
23 person described by Subdivision (1);
- 24 (3) an employee of the department authorized by the
25 department to perform an inspection under this section; or
- 26 (4) an employee of the National Insurance Crime Bureau
27 authorized by the department to perform an inspection under this

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1 section.

2 (d) The department shall prescribe a form on which the
3 identification number inspection is to be recorded. The department
4 may provide the form only to a person described by Subsection (c).

5 (e) The department or another entity that provides an
6 inspection under this section may impose a fee of not more than \$40
7 for the inspection. The county or municipal treasurer of a county
8 or municipal entity that provides an inspection under this section
9 shall credit the fee to the general fund of the county or
10 municipality, as applicable, to defray the entity's cost associated
11 with the inspection. If the department provides an inspection
12 under this section, the fee shall be deposited to the credit of the
13 Texas Department of Motor Vehicles fund.

14 (f) The department may not impose a fee for an inspection
15 requested by the department. The department shall include a
16 notification of the waiver to the owner at the time the department
17 requests the identification number inspection.

18 Sec. 501.0322. ALTERNATIVE IDENTIFICATION NUMBER
19 INSPECTION. The department by rule may establish a process for
20 verifying the identity of an item listed in Section 501.0321(a) as
21 an alternative to an identification number inspection under Section
22 501.0321. The rules may include the persons authorized to perform
23 the inspection, when an alternative inspection under this section
24 is required, and any fees that may be assessed. Any fee authorized
25 must comply with Sections 501.0321(e) and (f).

26 SECTION 11. Section 501.033, Transportation Code, is
27 amended to read as follows:

1 Sec. 501.033. ASSIGNMENT AND REASSIGNMENT OF
2 IDENTIFICATION NUMBER BY DEPARTMENT. (a) If the permanent
3 identification number affixed by the manufacturer has been removed,
4 altered, or obliterated, or a permanent identification number was
5 never assigned, the department shall assign an identification
6 number to [~~A person determined by law enforcement or a court to be~~
7 ~~the owner of]~~ a motor vehicle, [~~travel trailer,~~] semitrailer, [~~or]~~
8 trailer, motor [~~a part of a motor vehicle,~~] [~~travel trailer,~~
9 ~~semitrailer, or trailer,~~ a] frame, or body of a motor vehicle, or an
10 item of equipment not required to be titled but that may be
11 registered under Chapter 502 or issued license plates under Chapter
12 504 on inspection under Section 501.0321 and application to the
13 department [~~including a tractor, farm implement, unit of special~~
14 ~~mobile equipment, or unit of off-road construction equipment may~~
15 ~~apply to the department for an assigned vehicle identification~~
16 ~~number that has been removed, altered, obliterated, or has never~~
17 ~~been assigned].~~

18 (b) An application under this section must be in a manner
19 prescribed by the department and accompanied by valid evidence of
20 ownership in the name of, or properly assigned to, the applicant as
21 required by the department.

22 (c) A fee of \$2 must accompany each application under this
23 section to be deposited in the Texas Department of Motor Vehicles
24 fund.

25 (d) The assigned [~~vehicle~~] identification number shall be
26 die-stamped or otherwise affixed in the manner and location
27 designated by the department.

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1 (e) The department shall reassign an original
2 manufacturer's identification number only if the person who
3 conducts the inspection under Section 501.0321 determines that the
4 permanent identification number affixed by the manufacturer has
5 been removed, altered, or obliterated [~~If the auto theft unit of a~~
6 ~~county or municipal law enforcement agency conducts an inspection~~
7 ~~required by the department under this section, the agency may~~
8 ~~impose a fee of \$40. The county or municipal treasurer shall credit~~
9 ~~the fee to the general fund of the county or municipality, as~~
10 ~~applicable, to defray the agency's cost associated with the~~
11 ~~inspection. The fee shall be waived by the department or agency~~
12 ~~imposing the fee if the person applying under this section is the~~
13 ~~current registered owner~~].

14 (f) If the department reassigns a manufacturer's
15 identification number, a representative of the department shall
16 affix the number in a manner and location designated by the
17 department.

18 (g) On affixing an assigned identification number or
19 witnessing the affixing of a reassigned identification number, the
20 owner or the owner's representative shall certify on a form
21 prescribed by the department that the identification number has
22 been affixed in the manner and location designated by the
23 department and shall submit the form in a manner prescribed by the
24 department.

25 (h) Only the department may issue an identification number
26 to a motor vehicle, trailer, semitrailer, motor, frame, or body of a
27 motor vehicle, or an item of equipment not required to be titled but

1 that may be registered under Chapter 502 or issued license plates
2 under Chapter 504. The department may not recognize an
3 identification number assigned by any other agency or political
4 subdivision of this state.

5 SECTION 12. Section 501.036, Transportation Code, is
6 amended to read as follows:

7 Sec. 501.036. TITLE FOR FARM TRAILER OR FARM SEMITRAILER.

8 (a) Notwithstanding any other provision of this chapter, the
9 department may issue a title for a farm trailer or farm semitrailer
10 with a gross vehicle weight of not more than 34,000 [~~4,000~~] pounds
11 if[+

12 [~~(1) the farm semitrailer is eligible for registration~~
13 ~~under Section 502.146, and~~

14 [~~(2)~~] all [~~other~~] requirements for issuance of a title
15 are met.

16 (b) To obtain a title under this section, the owner [~~of the~~
17 ~~farm semitrailer~~] must:

18 (1) apply for the title in the manner required by
19 Section 501.023; and

20 (2) pay the fee required by Section 501.138.

21 (c) A subsequent purchaser of a farm trailer or farm
22 semitrailer titled previously under this section or in another
23 jurisdiction must obtain a title under [~~The department shall adopt~~
24 ~~rules to implement and administer~~] this section.

25 SECTION 13. Section 501.037, Transportation Code, is
26 amended to read as follows:

27 Sec. 501.037. TITLE FOR TRAILERS OR SEMITRAILERS.

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1 (a) Notwithstanding any other provision of this chapter, the
2 department may issue a title for a trailer or semitrailer that has a
3 gross vehicle weight of 4,000 pounds or less if all other
4 requirements for issuance of a title are met.

5 (b) To obtain a title under this section, the owner of the
6 trailer or semitrailer must:

7 (1) apply for the title in the manner required by
8 Section 501.023; and

9 (2) pay the fee required by Section 501.138.

10 (c) A subsequent purchaser of a trailer or semitrailer
11 titled previously under this section or in another jurisdiction
12 must obtain a title under this section.

13 SECTION 14. Section 501.071(a), Transportation Code, is
14 amended to read as follows:

15 (a) Except as provided by Sections 503.036 and [~~in Section~~]
16 503.039, a motor vehicle may not be the subject of a subsequent sale
17 unless the owner designated on the title submits a transfer of
18 ownership of the title.

19 SECTION 15. Section 501.072, Transportation Code, is
20 amended to read as follows:

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

1 ~~both the seller and buyer~~].

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

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

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

11 [~~(2) is not self-propelled,~~

12 [~~(3) is 10 or more years old,~~

13 [~~(4) is sold directly by the manufacturer to an agency~~
14 ~~of the United States government in conformity with contractual~~
15 ~~specifications, or~~

16 [~~(5) is a new motor vehicle~~].

17 (d) The department shall provide for use consistent with 49
18 C.F.R. Part 580:

19 (1) a secure power of attorney form; and

20 (2) a secure reassignment form for licensed motor
21 vehicle dealers.

22 (e) In this section, "transferee" and "transferor" have the
23 meanings assigned by 49 C.F.R. Part 580.

24 SECTION 16. Section 501.091(9), Transportation Code, is
25 amended to read as follows:

26 (9) "Nonrepairable motor vehicle" means a motor
27 vehicle [~~that~~]:

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1 (A) that is damaged, wrecked, or burned to the
2 extent that the only residual value of the vehicle is as a source of
3 parts or scrap metal; ~~[or]~~

4 (B) that comes into this state under a comparable
5 ownership document that indicates that the vehicle is
6 nonrepairable;

7 (C) that a salvage vehicle dealer has reported to
8 the department under Section 501.1003;

9 (D) for which an owner has surrendered evidence
10 of ownership for the purpose of dismantling, scrapping, or
11 destroying the motor vehicle; or

12 (E) that is sold for export only under Section
13 501.099.

14 SECTION 17. Section 501.09113(a), Transportation Code, is
15 amended to read as follows:

16 (a) On receipt of a proper application from the owner of a
17 motor vehicle, the department shall issue the applicant the
18 appropriate title with any notations determined by the department
19 as necessary to describe or disclose the motor vehicle's current or
20 former condition if the ~~[This section applies only to a]~~ motor
21 vehicle was brought into this state from another state or
22 jurisdiction and ~~[that]~~ has on any title or comparable out-of-state
23 ownership document issued by the other state or jurisdiction or
24 record in the National Motor Vehicle Title Information System
25 reported by another state or jurisdiction:

26 (1) a "rebuilt," "repaired," "reconstructed," "flood
27 damage," "fire damage," "owner retained," "salvage," or similar

1 notation; or

2 (2) a "nonrepairable," "dismantle only," "parts
3 only," "junked," "scrapped," "crushed," or similar notation.

4 SECTION 18. Section 501.097(a), Transportation Code, as
5 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of
6 the 82nd Legislature, Regular Session, 2011, is reenacted to read
7 as follows:

8 (a) An application for a nonrepairable vehicle title,
9 nonrepairable record of title, salvage vehicle title, or salvage
10 record of title must:

11 (1) be made in a manner prescribed by the department
12 and accompanied by a \$8 application fee;

13 (2) include, in addition to any other information
14 required by the department:

15 (A) the name and current address of the owner;
16 and

17 (B) a description of the motor vehicle, including
18 the make, style of body, model year, and vehicle identification
19 number; and

20 (3) include the name and address of:

21 (A) any currently recorded lienholder, if the
22 motor vehicle is a nonrepairable motor vehicle; or

23 (B) any currently recorded lienholder or a new
24 lienholder, if the motor vehicle is a salvage motor vehicle.

25 SECTION 19. Section 501.1001(a), Transportation Code, as
26 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of
27 the 82nd Legislature, Regular Session, 2011, is reenacted and

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1 amended to read as follows:

2 (a) Except as provided by Section 501.0925, an insurance
3 company that is licensed to conduct business in this state and that
4 acquires, through payment of a claim, ownership or possession of a
5 salvage motor vehicle or nonrepairable motor vehicle [~~covered by a~~
6 ~~certificate of title issued by this state or a manufacturer's~~
7 ~~certificate of origin~~] shall surrender the [a] properly assigned
8 evidence of ownership and apply for the appropriate title under
9 Section 501.097 [~~title or manufacturer's certificate of origin to~~
10 ~~the department, on a form prescribed by the department~~].

11 SECTION 20. Section 501.1002(a), Transportation Code, as
12 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of
13 the 82nd Legislature, Regular Session, 2011, is reenacted to read
14 as follows:

15 (a) If an insurance company pays a claim on a nonrepairable
16 motor vehicle or salvage motor vehicle and the insurance company
17 does not acquire ownership of the motor vehicle, the insurance
18 company shall:

19 (1) submit to the department, before the 31st day
20 after the date of the payment of the claim, on the form prescribed
21 by the department, a report stating that the insurance company:

- 22 (A) has paid a claim on the motor vehicle; and
- 23 (B) has not acquired ownership of the motor
24 vehicle; and

25 (2) provide notice to the owner of the motor vehicle
26 of:

- 27 (A) the report required under Subdivision (1);

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1 and

2 (B) the requirements for operation or transfer of
3 ownership of the motor vehicle under Subsection (b).

4 SECTION 21. Section 501.1002(b), Transportation Code, is
5 amended to read as follows:

6 (b) The owner of a salvage or nonrepairable motor vehicle
7 [~~to which this section applies~~] may not [~~operate or permit~~
8 ~~operation of the motor vehicle on a public highway or~~] transfer
9 ownership of the motor vehicle by sale or otherwise unless the
10 department has issued a salvage vehicle title, salvage record of
11 title, nonrepairable vehicle title, or nonrepairable record of
12 title for the motor vehicle or a comparable ownership document has
13 been issued by another state or jurisdiction for the motor vehicle
14 in the name of the owner.

15 SECTION 22. Section 501.109, Transportation Code, is
16 amended by amending Subsections (d) and (e) and adding Subsections
17 (g) and (h) to read as follows:

18 (d) Except as provided by Subsection (e), an offense under
19 Subsection (a), (b), or (c) [~~this section~~] is a Class C misdemeanor.

20 (e) If it is shown on the trial of an offense under
21 Subsection (a), (b), or (c) [~~this section~~] that the defendant has
22 been previously convicted of:

23 (1) one offense under Subsection (a), (b), or (c)
24 [~~this section~~], the offense is a Class B misdemeanor; or

25 (2) two or more offenses under Subsection (a), (b), or
26 (c) [~~this section~~], the offense is a state jail felony.

27 (g) A person commits an offense if the person knowingly

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1 provides false or incorrect information or without legal authority
2 signs the name of another person on:

3 (1) an application for a title to a nonrepairable
4 motor vehicle or salvage motor vehicle;

5 (2) an application for a certified copy of an original
6 title to a nonrepairable motor vehicle or salvage motor vehicle;

7 (3) an assignment of title for a nonrepairable motor
8 vehicle or salvage motor vehicle;

9 (4) a discharge of a lien on a title for a
10 nonrepairable motor vehicle or salvage motor vehicle; or

11 (5) any other document required by the department or
12 necessary for the transfer of ownership of a nonrepairable motor
13 vehicle or salvage motor vehicle.

14 (h) An offense under Subsection (g) is a felony of the third
15 degree.

16 SECTION 23. Effective January 1, 2019, the heading to
17 Section 501.134, Transportation Code, is amended to read as
18 follows:

19 Sec. 501.134. CERTIFIED COPY OF LOST OR DESTROYED
20 CERTIFICATE OF TITLE.

21 SECTION 24. Effective January 1, 2019, Sections 501.134(a),
22 (b), (c), and (d), Transportation Code, are amended to read as
23 follows:

24 (a) If a printed title is lost or destroyed, the owner or
25 lienholder disclosed on the title may obtain, in the manner
26 provided by this section and department rule, a certified copy of
27 the lost or destroyed title directly from the department by

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1 applying in a manner prescribed by the department and paying a fee
2 of \$2. A fee collected under this subsection shall be deposited to
3 the credit of the Texas Department of Motor Vehicles fund [~~and may~~
4 ~~be spent only as provided by Section 501.138~~].

5 (b) If a lien is disclosed on a title, the department may
6 issue a certified copy of the [~~original~~] title only to the first
7 lienholder or the lienholder's verified agent unless the owner has
8 original proof from the lienholder of lien satisfaction.

9 (c) The department must plainly mark "certified copy" on the
10 face of a certified copy issued under this section. [~~A subsequent~~
11 ~~purchaser or lienholder of the vehicle only acquires the rights,~~
12 ~~title, or interest in the vehicle held by the holder of the~~
13 ~~certified copy.~~]

14 (d) A certified copy of the title that is lawfully obtained
15 under this section supersedes and invalidates any previously issued
16 title or certified copy. If the certified copy of the title is
17 later rescinded, canceled, or revoked under Section 501.051, the
18 department may revalidate a previously superseded or invalidated
19 title or certified copy of title [~~A purchaser or lienholder of a~~
20 ~~motor vehicle having a certified copy issued under this section may~~
21 ~~at the time of the purchase or establishment of the lien require~~
22 ~~that the seller or owner indemnify the purchaser or lienholder and~~
23 ~~all subsequent purchasers of the vehicle against any loss the~~
24 ~~person may suffer because of a claim presented on the original~~
25 ~~title~~].

26 SECTION 25. Section 541.201(5), Transportation Code, is
27 amended to read as follows:

1 (5) "House trailer" means a trailer or semitrailer,
2 other than a towable recreational vehicle, that:

3 (A) is transportable on a highway in one or more
4 sections;

5 (B) is less than 45 [~~40~~] feet in length,
6 excluding tow bar, while in the traveling mode;

7 (C) is built on a permanent chassis;

8 (D) is designed to be used as a dwelling or for
9 commercial purposes if connected to required utilities; and

10 (E) includes plumbing, heating,
11 air-conditioning, and electrical systems.

12 SECTION 26. The following provisions of the Transportation
13 Code are repealed:

14 (1) Sections 501.032(c) and (d); and

15 (2) Section 501.09113(b).

16 SECTION 27. Not later than December 31, 2018, the
17 Department of Public Safety and the Texas Department of Motor
18 Vehicles shall:

19 (1) conduct a study on the efficiency and necessity of
20 the titling, including actions related to titling such as
21 registration, and inspection of vehicles in this state; and

22 (2) submit to the legislature a report on the results
23 of the study that includes:

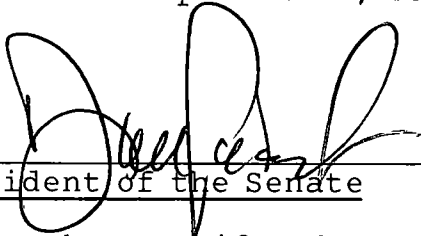
24 (A) identification of any elements of the vehicle
25 titling, including actions related to titling such as registration,
26 and inspection programs that can be eliminated; and

27 (B) recommendations for legislation to eliminate

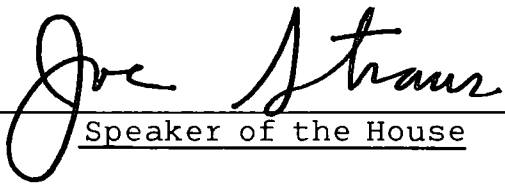
S.B. No. 2076

1 those elements.

2 SECTION 28. Except as otherwise provided by this Act, this
3 Act takes effect September 1, 2017. _____

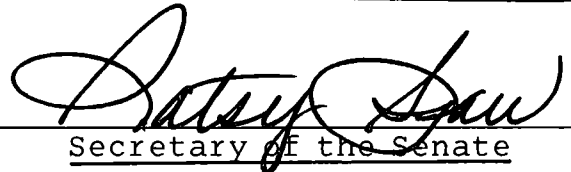


President of the Senate



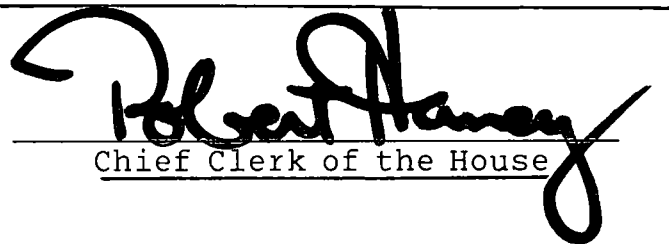
Speaker of the House

I hereby certify that S.B. No. 2076 passed the Senate on April 27, 2017, by the following vote: Yeas 27, Nays 4; and that the Senate concurred in House amendments on May 26, 2017, by the following vote: Yeas 27, Nays 4. _____



Secretary of the Senate

I hereby certify that S.B. No. 2076 passed the House, with amendments, on May 21, 2017, by the following vote: Yeas 130, Nays 12, one present not voting. _____



Chief Clerk of the House

Approved:


6-12-2017

Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3 PM O'CLOCK

JUN 15 2017


Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 23, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend provisions in the Transportation Code regarding the titling of motor vehicles. The bill would amend §501.002 regarding the length and width of certain trailers defined as a "travel trailer." The bill would amend §501.004(b) to specify that the provisions of Chapter 501 do not apply to a farm trailer or farm semitrailer with a gross weight of not more than 34,000 pounds. The bill would amend §501.032 and add §501.0321 and §501.0322 regarding requirements for a motor vehicle, trailer, or semitrailer to have an identification number inspection. The bill would authorize the Texas Department of Motor Vehicles (TxDMV) or another entity that provides an inspection under these sections to impose a fee not to exceed \$40. A county or municipality that performs an inspection would be required to credit the fee revenue its general fund. Fees collected by TxDMV for these inspections would be credited to the TxDMV Fund. The bill would amend §501.134 to authorize TxDMV to revalidate a previously superseded or invalidated title or certified copy of title. The bill would add new §501.109(g) to make it a criminal offense to knowingly provide false or incorrect information or sign the name of another person without legal authority regarding the title of a nonrepairable or salvage motor vehicle. An offense under this subsection would be a third degree felony. The bill would require the Department of Public Safety (DPS) and TxDMV to conduct a study on the efficiency and necessity of titling, including the related actions of vehicle registration and inspection, and submit a report of results and recommendations to the Legislature.

TxDMV indicates the agency would incur one time technology costs for implementing changes related to travel trailers and certified copy of title provisions in the bill. Based on LBB's analysis of information provided by TxDMV, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

TxDMV reports that counties and certain local law enforcement entities currently perform vehicle identification number inspections and does not anticipate it would begin performing inspections and assessing fees that would be deposited to the TxDMV Fund. TxDMV also indicates that an insignificant number of farm trailers or farm semi-trailers would be affected by changes in the bill. Based on the information provided by TxDMV, it is assumed these provisions of the bill would not result in a significant impact to state or local revenues.

Based on LBB's analysis of TxDMV and DPS, it is assumed any costs or duties associated with conducting a study and report on vehicle titling and associated activities could be absorbed within

the agencies' existing resources.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 608 Department of Motor Vehicles

LBB Staff: UP, AG, TG, JAW, RFL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 20, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend provisions in the Transportation Code regarding the titling of motor vehicles. The bill would amend §501.002 regarding the length and width of certain trailers defined as a "travel trailer." The bill would amend §501.004(b) to specify that the provisions of Chapter 501 do not apply to a farm trailer or farm semitrailer with a gross weight of not more than 34,000 pounds. The bill would amend §501.032 and add §501.0321 and §501.0322 regarding requirements for a motor vehicle, trailer, or semitrailer to have an identification number inspection. The bill would authorize the Texas Department of Motor Vehicles (TxDMV) or another entity that provides an inspection under these sections to impose a fee not to exceed \$40. A county or municipality that performs an inspection would be required to credit the fee revenue its general fund. Fees collected by TxDMV for these inspections would be credited to the TxDMV Fund. The bill would amend §501.134 to authorize TxDMV to revalidate a previously superseded or invalidated title or certified copy of title. The bill would add new §501.109(g) to make it a criminal offense to knowingly provide false or incorrect information or sign the name of another person without legal authority regarding the title of a nonrepairable or salvage motor vehicle. An offense under this subsection would be a third degree felony.

TxDmv indicates the agency would incur one time technology costs for implementing changes related to travel trailers and certified copy of title provisions in the bill. Based on LBB's analysis of information provided by TxDMV, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

TxDmv reports that counties and certain local law enforcement entities currently perform vehicle identification number inspections and does not anticipate it would begin performing inspections and assessing fees that would be deposited to the TxDMV Fund. TxDMV also indicates that an insignificant number of farm trailers or farm semi-trailers would be affected by changes in the bill. Based on the information provided by TxDMV, it is assumed these provisions of the bill would not result in a significant impact to state or local revenues.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 608 Department of Motor Vehicles, 304
Comptroller of Public Accounts

LBB Staff: UP, AG, EH, TG, RFL

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 18, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend provisions in the Transportation Code regarding the titling of motor vehicles. The bill would amend §501.002 regarding the length and width of certain trailers defined as a "travel trailer." The bill would amend §501.004(b) to specify that the provisions of Chapter 501 do not apply to a farm trailer or farm semitrailer with a gross weight of not more than 34,000 pounds. The bill would amend §501.032 and add §501.0321 and §501.0322 regarding requirements for a motor vehicle, trailer, or semitrailer to have an identification number inspection. The bill would authorize the Texas Department of Motor Vehicles (TxDMV) or another entity that provides an inspection under these sections to impose a fee not to exceed \$40. A county or municipality that performs an inspection would be required to credit the fee revenue its general fund. Fees collected by TxDMV for these inspections would be credited to the TxDMV Fund. The bill would amend §501.134 to authorize TxDMV to revalidate a previously superseded or invalidated title or certified copy of title. The bill would add new §501.109(g) to make it a criminal offense to knowingly provide false or incorrect information or sign the name of another person without legal authority regarding the title of a nonrepairable or salvage motor vehicle. An offense under this subsection would be a third degree felony.

TxDmv indicates the agency would incur one time technology costs for implementing changes related to travel trailers and certified copy of title provisions in the bill. Based on LBB's analysis of information provided by TxDMV, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

TxDmv reports that counties and certain local law enforcement entities currently perform vehicle identification number inspections and does not anticipate it would begin performing inspections and assessing fees that would be deposited to the TxDMV Fund. TxDMV also indicates that an insignificant number of farm trailers or farm semi-trailers would be affected by changes in the bill. Based on the information provided by TxDMV, it is assumed these provisions of the bill would not result in a significant impact to state or local revenues.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 608
Department of Motor Vehicles

LBB Staff: UP, AG, EH, TG, RFL

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

May 23, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **As Passed 2nd House**

The provisions of the bill addressing felony sanctions are the subject of this analysis. The bill would amend various codes as they relate to the titling of motor vehicles. Under the provisions of the bill, knowingly providing fraudulent information or illegally signing the name of another as it relates to the titling of nonrepairable or salvage motor vehicles would be a criminal offense. The offense of knowingly providing fraudulent information or illegally signing the name of another would be punishable by a third degree felony. The bill would also reduce the circumstances in which a criminal penalty can be applied for the offense of signing a false statement or certificate as it relates to the lawful sale of a motor vehicle under certain circumstances. The offense of signing a false statement or certificate is a third degree felony.

A third degree felony is punishable by confinement in prison for a term from 2 to 10 years, and, in addition to confinement, an optional fine not to exceed \$10,000.

Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands on the correctional resources of the counties or of the State due to a potential increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. The bill would also reduce the circumstances in which certain criminal penalties are applied and this is expected to result in decreased demands on the correctional resources of the counties or of the State due to a potential decrease in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. In fiscal year 2016, fewer than 10 individuals were arrested, fewer than 10 were placed under felony community supervision, and fewer than 10 were admitted into state correctional institutions for the offense of signing a false statement or certificate under existing statute. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

Source Agencies:

LBB Staff: UP, LM, RFL

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

April 20, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **Committee Report 1st House, Substituted**

The provisions of the bill addressing felony sanctions are the subject of this analysis. The bill would amend the Transportation Code as it relates to the titling of motor vehicles. Under the provisions of the bill, knowingly providing false or incorrect information or illegally signing the name of another as it relates to the titling of nonrepairable or salvage motor vehicles would be a criminal offense. The offense would be punishable as a third degree felony.

A third degree felony is punishable by confinement in prison for a term from 2 to 10 years. In addition to confinement, most felony offenses are subject to an optional fine not to exceed \$10,000.

Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands on the correctional resources of the counties or of the State due to a potential increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

Source Agencies:

LBB Staff: UP, LM, RFL

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

CRIMINAL JUSTICE IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

April 18, 2017

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2076 by Rodríguez (Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.), **As Introduced**

The provisions of the bill addressing felony sanctions are the subject of this analysis. The bill would amend the Transportation Code as it relates to the titling of motor vehicles. Under the provisions of the bill, knowingly providing fraudulent information or illegally signing the name of another as it relates to the titling of nonrepairable or salvage motor vehicles would be a criminal offense. The offense would be punishable as a third degree felony.

A third degree felony is punishable by confinement in prison for a term from 2 to 10 years. In addition to confinement, most felony offenses are subject to an optional fine not to exceed \$10,000.

Expanding the list of behaviors for which a criminal penalty is applied is expected to result in increased demands on the correctional resources of the counties or of the State due to a potential increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on the demand for state correctional resources.

Source Agencies:

LBB Staff: UP, LM, RFL