Chapter 75

H.B. No. 481

AN ACT

relating to the transfer of a used motor vehicle.

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

SECTION 1. Sections 520.023(a) and (c), Transportation Code, are amended to read as follows:

(a) On receipt of a written notice of transfer from the transferor of a motor vehicle, the department shall indicate the transfer on the motor vehicle records maintained by the department. As an alternative to a written notice of transfer, the department shall establish procedures that permit the transferor of a motor vehicle to electronically submit a notice of transfer to the department through the department's Internet website. A notice of transfer provided through the department's Internet website is not required to bear the signature of the transferor or include the date of signing.

(c) This subsection applies only if the department receives notice under Subsection (a) before the 30th day after the date the transferor delivered possession of the vehicle to the transferee. After the date of the transfer of the vehicle shown on the records of the department, the transferee of the vehicle shown on the records is rebuttably presumed to be:

(1) the owner of the vehicle; and

(2) subject to civil and criminal liability arising out of the use, operation, or abandonment of the vehicle, to the

extent that ownership of the vehicle subjects the owner of the vehicle to criminal or civil liability under another provision of law.

SECTION 2. Section 520.031, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Subsection (a), if the transferee is a member of the armed forces of the United States, a member of the Texas National Guard or of the National Guard of another state serving on active duty under an order of the president of the United States, or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the president of the United States, the documents described by Subsection (a) must be filed with the county assessor-collector not later than the 60th working day after the date of their receipt by the transferee.

SECTION 3. Section 520.032, Transportation Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (d) to read as follows:

(b) If the transferee does not file the application during the period provided by Section 520.031, the transferee is liable for a [~~$10~~] late fee to be paid to the county assessor-collector when the application is filed. If the transferee holds a general distinguishing number issued under Chapter 503 of this code or Chapter 2301, Occupations Code, the amount of the late fee is $10. If the transferee does not hold a general distinguishing number, subject to Subsection (b-1) the amount of the late fee is $25.

(b-1) If the application is filed after the 31st working day

after the date the transferee received the documents under Section 520.022, the late fee imposed under Subsection (b) accrues an additional penalty in the amount of $25 for each subsequent 30-day period, or portion of a 30-day period, in which the application is not filed.

(d) Subsections (b) and (b-1) do not apply if the motor vehicle is eligible to be issued:

(1) classic vehicle license plates under Section 504.501; or

(2) antique vehicle license plates under Section 504.502.

SECTION 4. Section 520.033, Transportation Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The county assessor-collector may retain as commission for services provided under this subchapter half of each transfer fee collected, [~~and~~] half of each late fee, and half of each additional penalty collected under Section 520.032.

(c) Of each late fee collected from a person who does not hold a general distinguishing number that the department receives under Subsection (b), $10 may be used only to fund a statewide public awareness campaign designed to inform and educate the public about the provisions of this chapter.

SECTION 5. The change in law made by this Act applies only to the transfer of a used motor vehicle that occurs on or after the effective date of this Act. The transfer of a used motor vehicle that occurs before the effective date of this Act is governed by the

law in effect at the time of the transfer, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect January 1, 2008.

H.B. No. 481

David Dewhurst
President of the Senate

Jim Craddick
Speaker of the House

I certify that H.B. No. 481 was passed by the House on March 21, 2007, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 481 was passed by the Senate on May 1, 2007, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 14 MAY '07
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
5:00 PM O'CLOCK

MAY 14 2007

Roger Williams