

- SUBJECT:** Revising database access, classification of temporary motor vehicle tags
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 12 ayes — Canales, E. Thompson, Bucy, Davis, Harris, Landgraf, Lozano, Martinez, Ortega, Perez, Rogers, Smithee
- 1 nay — Ashby
- WITNESSES:** For — Jose Escribano and Michael Bradburn, Travis County Constable Precinct 3; David Kohler; (*Registered, but did not testify:* Jennifer Szimanski, CLEAT)
- Against — Robert Braziel, Texas Automobile Dealers Association; (*Registered, but did not testify:* Mark Borskey, Texas Recreational Vehicle Association)
- On — (*Registered, but did not testify:* Corrie Thompson, Texas Department of Motor Vehicles)
- BACKGROUND:** Transportation Code sec. 503.0626 governs a database on information on vehicles to which dealers and converters have affixed temporary tags. The Texas Department of Motor Vehicles (TxDMV) may not deny access to the database to any dealer with a general distinguishing number or license or any licensed converter.
- Sec. 503.0631 governs a database of information on persons to whom temporary buyer's tags are issued. TxDMV may not deny access to the database to any dealer with a general distinguishing number or license.
- Sec. 503.067 governs the unauthorized reproduction, purchase, use, or sale of temporary tags. A person cannot sell or distribute a temporary tag or item represented as such unless the person was a dealer or a printer or distributor in the business of selling tags for authorized uses.
- DIGEST:** HB 3927 would remove a prohibition for the Texas Department of Motor

Vehicles to deny access to a database on temporary tags to dealers or converters.

The bill would include temporary motor vehicle tags in the definition of a "governmental record" for purposes of Penal Code ch. 37, which governs perjury and other falsification.

HB 3927 would specify that a person could not operate a vehicle that displayed a temporary tag in violation of laws governing vehicle registration or dealers' and manufacturers' vehicle license plates. The bill also would remove the ability of a printer or distributor to engage in the business of selling temporary tags.

The bill would take effect September 1, 2021, and apply only to an offense committed on or after that date.

**SUPPORTERS
SAY:**

HB 3927 would address the fraudulent use of temporary tags in the state for masking certain criminal activity, including stolen vehicles, kidnappings, and other crimes. The bill would prevent the unauthorized use of the WebDealer database to distribute fraudulent temporary tags and clarify that temporary tags qualified as governmental records in the Penal Code, which would bring serious consequences for tampering with tags. These additional tools would help law enforcement and TxDMV prevent and suppress criminal behavior and reduce damages to the state and localities.

Concerns that the bill would reduce access to the WebDealer system for legitimate dealers are unfounded, since the target of the bill is denying access for unauthorized criminal entities with no legitimate business. Any process or rules developed by TxDMV to remove access would be well thought out and would not affect legitimate dealers.

**CRITICS
SAY:**

While there is a problem with fraudulent use of temporary tags in this state, HB 3927 would grant TxDMV unilateral authority to deny access to legitimate dealers to the WebDealer system without justification.

