

## **BILL ANALYSIS**

Senate Research Center

S.B. 604  
By: Buckingham; Birdwell  
Transportation  
6/25/2019  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2009, the legislature created the Texas Department of Motor Vehicles (TxDMV) by transferring various motor vehicle and motor carrier functions from the Texas Department of Transportation to the newly created department. TxDMV provides title, registration, and license plate services and regulates key aspects of the motor vehicle and motor vehicle industries.

The Sunset Advisory Commission found that TxDMV has largely accomplished the legislature's goals for improved performance and it recommended continuing TxDMV for 12 years. However, areas for improvement remain, including combating title fraud and information technology planning. TxDMV is subject to abolishment under the Sunset Act on September 1, 2019, unless continued by the legislature. (Original Author's/Sponsor's Statement of Intent)

S.B. 604 amends current law relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the board of the Texas Department of Motor Vehicles (TxDMV) in SECTION 2.06 (Section 2301.709, Occupations Code), SECTION 3.01 (Sections 504.153, 504.154, and 504.155, Transportation Code), and SECTION 3.02 of this bill.

Rulemaking authority is expressly granted to TxDMV in SECTION 2.13 (Section 503.0296, Transportation Code), SECTION 2.17, SECTION 4.04 (Section 520.021, Transportation Code), SECTION 4.06, and SECTION 4.07 of this bill.

Rulemaking authority previously granted to TxDMV is modified in SECTION 4.01 (Section 520.004, Transportation Code) of this bill.

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is rescinded in SECTION 5.28 (Section 9, Article 4413(37), Revised Statutes) of this bill.

### **SECTION BY SECTION ANALYSIS**

#### ARTICLE 1. GENERAL PROVISIONS

SECTION 1.01. Amends Section 1001.005, Transportation Code, as follows:

Sec. 1001.005. SUNSET PROVISION. Provides that, unless continued in existence as provided by Chapter 325, Government Code (Texas Sunset Act), the Texas Department of Motor Vehicles (TxDMV) is abolished September 1, 2031, rather than September 1, 2019.

SECTION 1.02. Amends Section 1001.030, Transportation Code, as follows:

Sec. 1001.030. New heading: BOARD MEMBER TRAINING. (a) Prohibits a person who is appointed to and qualifies for office as a member of the board of TxDMV (board) from voting, deliberating, or being counted as a member in attendance at a meeting of the

board until the person completes a training program that complies with this section, rather than requiring a person appointed to the board to complete at least one course of a training program that complies with this section to be eligible to take office as a member of the board.

(b) Makes a nonsubstantive change and requires the training program to provide the person with information regarding:

(1) the law governing TxDMV operations, rather than this subchapter (Board of Department of Motor Vehicles);

(2) the board's programs, functions, and rules and the budget of TxDMV, rather than the programs operated by TxDMV;

(3) the scope of and limitations on the rulemaking authority of the board, rather than the role and functions of TxDMV;

(4) the types of board rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business the board regulates, including any rule, interpretation, and enforcement action that regulates the scope of practice of persons in a profession or business the board regulates, that restricts advertising by persons in a profession or business the board regulates, that affects the price of goods or services provided by persons in a profession or business the board regulates, or that restricts participation in a profession or business the board regulates, rather than the rules of TxDMV with an emphasis on the rules that relate to disciplinary and investigatory authority;

(5) creates this subdivision from existing Subdivision (6) and deletes existing text relating to the current budget for TxDMV;

(6) the requirements of laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest, and other laws applicable to members of the board in performing their duties, rather than the requirements of the open meetings law, Chapter 551 (Open Meetings), Government Code, the open records law, Chapter 552 (Public Information), Government Code, and administrative procedure law, Chapter 2001 (Administrative Procedure), Government Code; and

(7) any applicable ethics policies adopted by TxDMV, rather than the board, or the Texas Ethics Commission.

(8) and (9) Deletes these subdivisions and existing text relating to the requirements of the conflict of interest laws and other laws relating to public officials.

(c) Entitles a person appointed to the board to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program, regardless of whether the attendance at the program occurs before or after the person qualifies for office, rather than to reimbursement for travel expenses incurred in attending the training program as provided by the General Appropriations Act and as if the person were a member of the board.

(d) Requires the executive director of TxDMV (executive director) to create a training manual that includes the information required by Subsection (b). Requires the executive director to distribute a copy of the training manual annually to each member of the board. Requires each member of the board to sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 1.03. Amends Section 1001.041(a), Transportation Code, to include a general counsel among the individuals the executive director is required to appoint, as necessary to carry out the powers and duties of TxDMV under this code and certain other laws.

SECTION 1.04. Section 1001.0411, Transportation Code, by adding Subsection (c) to require the executive director to hire and oversee a general counsel to advise TxDMV in accordance with Section 1001.041(a).

SECTION 1.05. Amends Section 1001.042, Transportation Code, as follows:

Sec. 1001.042. DIVISION OF RESPONSIBILITIES. Requires the board to develop and implement policies that clearly separate the policy-making responsibilities of the board and the management responsibilities of the executive director, including the appointment of TxDMV staff, and the staff of the TxDMV, rather than policies that clearly define the responsibilities of the executive director and the staff of TxDMV.

SECTION 1.06. Amends Chapter 1003, Transportation Code, by adding Sections 1003.0055 and 1003.008, as follows:

Sec. 1003.0055. COMPLAINTS. (a) Requires TxDMV to maintain a system to promptly and efficiently act on complaints filed with TxDMV. Requires TxDMV to maintain information about parties to and the subject matter of the complaint and a summary of the results of the review or investigation of the complaint and the disposition of the complaint.

(b) Requires TxDMV to make information available describing its procedures for complaint investigation and resolution.

(c) Requires TxDMV to periodically notify the parties to the complaint of the status of the complaint until final disposition.

Sec. 1003.008. NEGOTIATED RULEMAKING AND ALTERNATIVE DISPUTE RESOLUTION POLICY. (a) Requires the board to develop and implement a policy to encourage the use of negotiated rulemaking procedures under Chapter 2008 (Negotiated Rulemaking), Government Code, for the adoption of TxDMV rules and appropriate alternative dispute resolution procedures under Chapter 2009 (Alternate Dispute Resolution For Use by Governmental Bodies), Government Code, to assist in the resolution of internal and external disputes under TxDMV's jurisdiction.

(b) Requires TxDMV's procedures relating to alternative dispute resolution to conform, to the extent possible, to any model guidelines issued by the State Office of Administrative Hearings for the use of alternative dispute resolution by state agencies.

(c) Requires TxDMV to coordinate the implementation of the policy developed under Subsection (a), to provide training as needed to implement the procedures for negotiated rulemaking or alternative dispute resolution, and to collect data concerning the effectiveness of those procedures.

SECTION 1.07. Amends Chapter 1004, Transportation Code, by adding Section 1004.003, as follows:

Sec. 1004.003. CONFIDENTIALITY OF INFORMATION RELATED TO INVESTIGATIONS. Provides that information obtained during an investigation of a person regulated under Chapter 2301 (Sale or Lease of Motor Vehicles) or 2302 (Salvage Vehicle Dealers), Occupations Code, or Chapter 503 (Dealer's or Manufacturer's Vehicle License Plates) or 643 (Motor Carrier Registration) of this code is confidential and not subject to disclosure under Chapter 552, Government Code, until the investigation is

dismissed or finally resolved only if the disclosure of that information would interfere with or jeopardize the investigation.

SECTION 1.08. Repealer: Section 2110.002(c) (relating to an exception to the application of certain composition requirements to an advisory committee established by TxDMV), Government Code.

Repealer: Section 2301.612 (Open Records Exception), Occupations Code.

Repealer: Section 1001.031(a-1) (relating to an exception to the application of certain composition requirements to an advisory committee established by the board), Transportation Code.

SECTION 1.09. (a) Provides that Section 1001.030, Transportation Code, as amended by this Act, applies to a member of the board who is appointed before, on, or after the effective date of this Act, except as provided by Subsection (b) of this section.

(b) Requires a member of the board who, before the effective date of this Act, completed the training program required by Section 1001.030, Transportation Code, as that law existed before the effective date of this Act, to complete additional training only on subjects added by this Act to the training program as required by Section 1001.030, Transportation Code, as amended by this Act. Prohibits a board member described by this subsection from voting, deliberating, or being counted as a member in attendance at a meeting of the board held on or after December 1, 2019, until the member completes the additional training.

## ARTICLE 2. LICENSING

SECTION 2.01. Amends Section 2301.251(a), Occupations Code, to remove a representative from the roles that a person is prohibited from engaging in business as, serving in capacity of, or acting as, unless that person holds a license issued under this chapter authorizing the activity.

SECTION 2.02. Amends Section 2301.258, Occupations Code, as follows:

Sec. 2301.258. New heading: GENERAL REQUIREMENTS FOR APPLICATION FOR MANUFACTURER'S, DISTRIBUTOR'S, OR CONVERTER'S LICENSE. Deletes existing text relating to a representative's license and makes nonsubstantive changes.

SECTION 2.03. Amends Section 2301.264(a), Occupations Code, as follows:

(a) Provides that the annual fees for a license issued under this chapter are:

(1) and (2) makes no changes to these subdivisions;

(3) redesignates existing Subdivision (4) as this subdivision and deletes existing text relating to the fee for a representative; and

(4) and (5) redesignates existing Subdivisions (5) and (6) as these subdivisions and makes no further changes.

SECTION 2.04. Amends Section 2301.304, Occupations Code, as follows:

Sec. 2301.304. PROCEDURE FOR RENEWAL OF CERTAIN LICENSES. Deletes existing text relating to the renewal of a representative's license and makes nonsubstantive changes.

SECTION 2.05. Amends Section 2301.358(a) and (c), Occupations Code, as follows:

(a) Deletes existing Subdivision (2) relating to TxDMV granting written approval, deletes the designation of Subdivision (1), and makes nonsubstantive changes. Prohibits a person

who holds a license issued under this chapter from participating in a new motor vehicle show or exhibition unless the person provides TxDMV with written notice before the date the show or exhibition opens.

(c) Provides that this section does not prohibit the sale of a towable recreational vehicle, motor home, ambulance, fire-fighting vehicle, or tow truck at a show or exhibition if TxDMV receives written notice of the show or exhibition before the date the show or exhibition opens and the sale is not otherwise prohibited by law, rather than if the show or exhibition is approved by TxDMV and the sale is not otherwise prohibited by law.

SECTION 2.06. Amends Section 2301.709, Occupations Code, by adding Subsection (d), as follows:

(d) Requires the board to adopt rules and policies that establish standards for reviewing a case under this subchapter (Hearings Procedures). Requires the rules and policies to:

(1) specify the role of division personnel in managing contested cases before the board or a person delegated power from the board under Section 2301.154 (Delegation of Powers), including advising on procedural matters;

(2) specify appropriate conduct and discussion by the board or a person delegated power from the board under Section 2301.154 regarding proposals for decision issued by administrative law judges;

(3) specify clear expectations limiting arguments and discussion under Subsection (b) to evidence in the record of the contested case hearing held by the administrative law judge;

(4) address ex parte communications; and

(5) distinguish between using industry expertise and representing or advocating for an industry when reviewing a case under this subchapter.

SECTION 2.07. Amends Subchapter Q, Chapter 2301, Occupations Code, by adding Section 2301.807, as follows:

Sec. 2301.807. REFUND. Authorizes the board, if the board determines that a person is violating or has violated this chapter or a rule adopted or order issued under this chapter, after a proceeding under this chapter and board rules, to order the person to pay a refund to the buyer or lessee of the motor vehicle that is the subject of the proceeding.

SECTION 2.08. Amends Section 2302.101, Occupations Code, as follows:

Sec. 2302.101. New heading: SALVAGE VEHICLE DEALER LICENSE. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes a person who holds a salvage vehicle dealer license issued under this chapter to perform any of the activities of a salvage vehicle dealer, including:

(1) buying salvage motor vehicles and nonrepairable motor vehicles or selling salvage motor vehicles and nonrepairable motor vehicles that have been issued a salvage vehicle title or nonrepairable vehicle title, as appropriate;

(2) engaging in the business of selling nonrepairable motor vehicles or salvage motor vehicles at auction, including wholesale auction;

(3) offering or negotiating to sell or buy salvage motor vehicles or nonrepairable motor vehicles owned by a license holder and to be purchased or sold by another license holder;

(4) acting as the agent or representative of a license holder in performing an act described by Subdivision (5); and

(5) acquiring and repairing, rebuilding, or reconstructing for operation on a public highway more than five salvage motor vehicles in a calendar year.

SECTION 2.09. Amends Section 2302.103, Occupations Code, as follows:

Sec. 2302.103. APPLICATION FOR SALVAGE VEHICLE DEALER LICENSE. Deletes existing Subsection (b) relating to applying for a salvage vehicle dealer license with an endorsement in certain qualifications and deletes the designation of Subsection (a).

SECTION 2.10. Amends Section 2302.151, Occupations Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that a license issued under this chapter is valid for the period prescribed by the board, rather than providing that a license issued under this chapter expires on the first anniversary of the date of issuance.

(c) Requires the board to prorate the applicable fee required under this chapter as necessary to reflect the term of the license if the board prescribes the term of a license under this chapter for a period other than one year.

SECTION 2.11. Amends Section 2302.351(b), Occupations Code, to delete existing text including a salvage vehicle agent operating under a salvage vehicle dealer's license among those entities whose conviction for more than one offense under Section 2302.353(a) (relating to an offense for knowingly violating a provision of or rule adopted under Chapter 2302 other than Subchapter G (Motor Vehicle Salvage Yards in Certain Counties)) authorizes the district attorney for a county in which the dealer's salvage business is located to bring an action to enjoin the salvage vehicle dealer's business operations for a certain period.

SECTION 2.12. Amends Subchapter H, Chapter 2302, Occupations Code, by adding Section 2302.355, as follows:

Sec. 2302.355. CEASE AND DESIST ORDER. Authorizes the board, if it appears to the board that a person who is not licensed under this chapter is violating this chapter or a rule or order adopted under this chapter, after notice and opportunity for a hearing, to issue a cease and desist order prohibiting the person from engaging in the activity.

SECTION 2.13. Amends Subchapter B, Chapter 503, Transportation Code, by adding Section 503.0296, as follows:

Sec. 503.0296. INDEPENDENT MOTOR VEHICLE DEALER EDUCATION AND TRAINING REQUIREMENT. (a) Requires TxDMV by rule to require that an applicant for an original or renewal general distinguishing number who proposes to be an independent motor vehicle dealer complete web-based education and training developed or approved by TxDMV. Requires the education and training to include information on the laws and board rules applicable to an independent motor vehicle dealer, including the consequences of violating those laws and rules.

(b) Provides that an applicant described by Subsection (a) who satisfies the education and training required under this section is not required to complete additional education and training under this section for the subsequent renewal of the applicant's general distinguishing number.

SECTION 2.14. Amends Subchapter F, Chapter 643, Transportation Code, by adding Section 643.257, as follows:

Sec. 643.257. REFUND BY MOTOR CARRIERS TRANSPORTING HOUSEHOLD GOODS. Authorizes TxDMV to order a motor carrier that violates this chapter or a rule or order adopted under this chapter to pay a refund to a consumer who paid the motor carrier to transport household goods.

SECTION 2.15. Repealer: Section 2301.264(c) (relating to authorizing TxDMV to prorate the fee for a representative's license to allow that license to expire on the same day as the license of the manufacturer or distributor who employs the representative), Occupations Code.

Repealer: Section 2302.001(6) (relating to the definition of "salvage vehicle agent"), Occupations Code.

Repealer: Section 2302.102 (Salvage Vehicle Dealer License Classification), Occupations Code.

Repealer: Section 2302.107 (Salvage Vehicle Agent License), Occupations Code.

SECTION 2.16. (a) Provides that the changes in law made by this Act to Chapters 2301 and 2302, Occupations Code, do not affect the validity of a proceeding pending before a court or other governmental entity on the effective date of this Act.

(b) Makes application of this Act prospective. Provides that, for purposes of this subsection, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

(c) Provides that, on the effective date of this Act, a representative's license issued under Chapter 2301, Occupations Code, as that law existed immediately before the effective date of this Act, expires.

(d) Provides that, on the effective date of this Act, a salvage vehicle agent license issued under former Section 2302.107, Occupations Code, expires.

(e) Makes application of Section 2302.151(a), Occupations Code, as amended by this Act, prospective.

SECTION 2.17. Requires TxDMV, as soon as practicable after the effective date of this Act, to adopt rules as required by Section 503.0296, Transportation Code, as added by this Act. Prohibits a rule adopted by TxDMV as required by that section from requiring a person to complete the education and training developed or approved under that section if the person, on the effective date of this Act, has held an independent motor vehicle dealer's general distinguishing number issued under Chapter 503, Transportation Code, for at least 10 years.

### ARTICLE 3. DIGITAL LICENSE PLATES

SECTION 3.01. Amends Chapter 504, Transportation Code, by adding Subchapter B-1, as follows:

#### SUBCHAPTER B-1. DIGITAL LICENSE PLATES

Sec. 504.151. DEFINITIONS. Defines "digital license plate" and "digital license plate provider."

Sec. 504.152. APPLICABILITY OF OTHER LAW. Provides that a digital license plate issued under this subchapter, except as otherwise provided by this subchapter or a rule adopted under this subchapter, is subject to the laws of this state applicable to a physical license plate.

Sec. 504.153. RULES. Requires the board to adopt rules as necessary to implement and administer this subchapter.

Sec. 504.154. DIGITAL LICENSE PLATES AUTHORIZED. (a) Requires the board by rule to allow a vehicle described by Subsection (b) to be equipped with a digital license plate that is placed on the rear of the vehicle in lieu of a physical license plate issued under this chapter (License Plates). Requires the rule to require the owner of a vehicle issued a digital license plate to obtain a physical license plate to be placed on the front of the vehicle unless the vehicle is of a class of vehicles that is not required to display two license plates, as provided by other law.

(b) Authorizes a vehicle registered under Chapter 502 (Registration of Vehicles) to be equipped with a digital license plate only if the vehicle is part of a commercial fleet, as defined by Section 502.001 (Definitions), is owned or operated by a governmental entity, or is not a passenger vehicle.

(c) Authorizes TxDMV to contract with digital license plate providers for the issuance of digital license plates, including any services related to the issuance of digital license plates.

(d) Authorizes a rule adopted under this subchapter, notwithstanding any other law, to:

(1) authorize the display of the vehicle's registration insignia on a digital license plate issued for the vehicle in lieu of attaching the registration insignia to the inside of the vehicle's windshield as required by Section 502.059 (Issuance of Registration Insignia);

(2) establish a fee in an amount necessary to cover any administrative costs incurred that relate to the issuance of a digital license plate and exceed the administrative costs incurred for the issuance of a physical license plate; or

(3) prohibit a digital license plate provider from contracting with TxDMV under Subchapter J (Marketing of Specialty Plates Through Private Vendor).

Sec. 504.155. DIGITAL LICENSE PLATES REQUIREMENTS AND PERMISSIVE FUNCTIONALITY. (a) Requires the board by rule to set the specifications and requirements for digital license plates, including requirements for the placement of digital license plates. Requires the design of and information displayed on a digital license plate to be approved by TxDMV.

(b) Requires a digital license plate issued under this subchapter to:

(1) meet the specifications and requirements adopted under Subsection (a);

(2) include the information required to be included on a physical license plate and legibly display that information at all times and in all light conditions, provided that the license plate may display the information in a smaller typeface when the vehicle is parked;

(3) have wireless connectivity capability; and

(4) provide benefits to law enforcement that meet or exceed the benefits provided by physical license plates as of the time of enactment of this subchapter and as determined by the Department of Public Safety of the State of Texas (DPS).

(c) Requires the board, in adopting rules under Subsection (a), to consult with DPS. Provides that a rule adopted under Subsection (a), except as otherwise provided by this subsection and Section 2001.036 (Effective Date of Rules; Effect of Filing With Secretary of State), Government Code, takes effect on the 31st day

after the date on which the rule is filed in the Office of the Secretary of State (office). Provides that a rule adopted under Subsection (a) does not take effect if, not later than the 30th day after the date on which the rule is filed in the office, the public safety director of DPS submits to the office written notification invalidating the rule.

(d) Authorizes a rule adopted under this subchapter to:

(1) authorize the use of a digital license plate for electronic toll collection or to display a parking permit; or

(2) establish procedures for displaying on a digital license plate:

(A) an emergency alert or other public safety alert issued by a governmental entity, including an alert authorized under Subchapter L (Statewide America's Missing: Broadcast Emergency Response (AMBER) Alert System For Abducted Children and Missing Persons with Intellectual Disabilities), M (Silver Alert For Missing Senior Citizens and Persons With Alzheimer's Disease), or P (Blue Alert System), Chapter 411, Government Code;

(B) vehicle manufacturer safety recall notices;

(C) static logo displays, including unique displays for fleet vehicles; or

(D) advertising approved by TxDMV.

Sec. 504.156. DIGITAL LICENSE PLATE PROVIDER POWERS AND DUTIES. Provides that a digital license plate provider with whom TxDMV contracts under Section 504.154:

(1) is required to maintain an inventory of the digital license plates issued by the provider in this state;

(2) is required to make available a digital version of each specialty license plate authorized by this chapter, other than personalized license plates authorized for marketing and sale under Subchapter J, provided that:

(A) each issuance of a specialty license plate with restricted distribution, including a license plate authorized under Subchapter C (License Plates For Vehicles Used by Persons With Disabilities), D (Specialty License Plates For the Military), E (Specialty License Plates with Restricted Distribution), or F (Specialty License Plates With Restricted Distribution and Regular License Plate Fees), is required to be approved by TxDMV; and

(B) the provider is required to remit to TxDMV in the manner prescribed by TxDMV all money payable to TxDMV or required to be used or deposited in the manner prescribed by the law establishing the license plate;

(3) is authorized to contract with the private vendor under Subchapter J to make available a digital version of a personalized license plate authorized for marketing and sale under that subchapter, provided that the contract is required to conform with any applicable requirements of Subchapter J and the terms of the private vendor's contract with TxDMV;

(4) is required to, if a digital license plate displays a registration insignia as authorized by a rule adopted under Section 504.154(d)(1), promptly

update the display of the registration insignia to reflect the current registration period for the vehicle and, on request of TxDMV, suspend the display of the registration insignia or indicate on the license plate that the registration insignia for the vehicle is expired;

(5) is authorized to provide any service related to the issuance of a digital license plate that is authorized by board rule, including the sale, lease, and installation of and customer service for a digital license plate; and

(6) is authorized to charge a fee, payable in installments, for the issuance of a digital license plate or any additional services provided by the provider for that license plate.

Sec. 504.157. DEFENSE TO PROSECUTION OF CERTAIN OFFENSES. Provides that it is a defense to prosecution of an offense involving the operation of a motor vehicle and relating to the placement of a license plate or the display of a registration insignia that the vehicle was operated in compliance with rules issued under this subchapter governing the placement of a digital license plate or the display of a registration insignia on a digital license plate, as applicable.

SECTION 3.02. Requires the board, not later than December 31, 2020, to adopt the rules required by Subchapter B-1, Chapter 504, Transportation Code, as added by this Act, and any other rules necessary to implement and administer that subchapter.

#### ARTICLE 4. REGISTRATION AND TITLING

SECTION 4.01. Amends Section 520.004, Transportation Code, as follows:

Sec. 520.004. DEPARTMENT RESPONSIBILITIES. Provides that TxDMV by rule:

(1) makes no changes to this subdivision;

(2) and (3) makes nonsubstantive changes to these subdivisions; and

(4) is required to establish a risk-based system of monitoring and preventing fraudulent activity related to vehicle registration and titling in order to efficiently allocate resources and personnel.

SECTION 4.02. Amends Section 520.005, Transportation Code, by adding Subsection (e) to require each county assessor-collector to make available to motor vehicle dealers the electronic system designed by TxDMV that allows a motor vehicle dealer to submit a title and registration application online in the name of the purchaser of a motor vehicle.

SECTION 4.03. Amends Subchapter A, Chapter 520, Transportation Code, by adding Sections 520.0075, 520.010, and 520.011, as follows:

Sec. 520.0075. CONTRACTING STANDARDS FOR TAX ASSESSOR-COLLECTOR.

(a) Defines "deputy" for purposes of this section.

(b) Requires a county tax assessor-collector who awards a contract to a deputy for the performance of registration and titling services, notwithstanding Section 262.023 (Competitive Requirements For Certain Purchases), Local Government Code, to comply with standard state contracting practices as if the county tax assessor-collector were a state agency, including requirements related to:

(1) purchase methods and competitive bidding under Sections 2155.062 (Purchase Methods) and 2155.063 (Competitive Bidding Requirement), Government Code;

(2) determining the best value for the county under Sections 2155.074 (Best Value Standard For Purchase of Goods or Services), 2155.075 (Requirement to Specify Value Factors in Request For Bids or Proposals), and 2155.0755 (Verification of Use of Best Value Standard), Government Code;

(3) contracting standards and oversight under Chapter 2261 (State Contracting Standards and Oversight), Government Code; and

(4) contract management under Chapter 2262 (Statewide Contract Management), Government Code.

(c) Requires a contract described by Subsection (b) to specify an expiration date and renewal or extension terms for the contract and to include performance criteria and measures necessary to evaluate the performance of the deputy under the contract.

(d) Requires a county tax assessor-collector to monitor and evaluate the performance of a deputy awarded a contract described by this section and use that information in determining whether to renew or extend the contract or award a new contract.

Sec. 520.010. AUDIT AND INVESTIGATION RELATED TO REGISTRATION AND TITLING SERVICES. (a) Authorizes TxDMV to audit or perform a compliance review of a person performing registration or titling services, investigate any provision of state functions related to registration or titling, and access any records needed to conduct the audit, compliance review, or investigation.

(b) Authorizes a county tax assessor-collector to audit, perform a compliance review of, or investigate a person providing registration or titling services in the county in which the assessor-collector is located, and to access any records needed to conduct the audit, compliance review, or investigation.

(c) Provides that TxDMV's authority under Subsection (a) is not limited by a similar audit, compliance review, or investigation conducted by a county tax assessor-collector under Subsection (b).

Sec. 520.011. AUDIT OF COUNTY TAX ASSESSOR-COLLECTOR. Authorizes the comptroller of public accounts of the State of Texas (comptroller), in coordination with TxDMV, to include, as part of the comptroller's regular audits of state revenue collection by county tax assessor-collector offices, the review of processes relating to a county's collection and remittance of revenue included in an audit.

SECTION 4.04. Amends Chapter 520, Transportation Code, by adding Subchapter C, as follows:

#### SUBCHAPTER C. AUTOMATED REGISTRATION AND TITLING SYSTEM

Sec. 520.021. RULES AND POLICIES. Authorizes TxDMV to adopt rules and policies for the maintenance and use of TxDMV's automated registration and titling system.

Sec. 520.022. ACCESS TO SYSTEM. Provides that TxDMV has the sole authority to determine access to TxDMV's automated registration and titling system.

Sec. 520.023. TRAINING. (a) Requires TxDMV to implement a training program providing information on TxDMV's automated registration and titling system and identification of fraudulent activity related to vehicle registration and titling.

(b) Requires TxDMV to require a person performing registration or titling services to complete the training under Subsection (a).

SECTION 4.05. (a) Requires that each county tax assessor-collector who has, before the effective date of this Act, entered into a contract described by Section 520.0075, Transportation Code, as added by this Act, to rebid the contract using the contracting standards provided under that section not later than March 31, 2020.

(b) Requires TxDMV, in order to assist a county tax assessor-collector in the rebidding of contracts under Subsection (a) of this section, to provide guidance and recommendations on contracting practices to the county tax assessor-collector.

SECTION 4.06. Requires TxDMV to adopt rules to implement the training program required by Section 520.023, Transportation Code, as added by this Act, not later than December 1, 2019.

SECTION 4.07. Requires TxDMV, in coordination with county tax assessor-collectors and in accordance with Subchapter C, Chapter 520, Transportation Code, as added by this Act, to develop, adopt, and implement rules that create clear criteria for the suspension or denial of access to the TxDMV's automated registration and titling system if a county tax assessor-collector suspects abuse, fraud, or waste relating to the system by an employee of the assessor-collector's or a person deputized under Section 520.0071, Transportation Code, not later than March 1, 2020.

SECTION 4.08. Requires each county tax assessor-collector to make available the electronic system to motor vehicle dealers as required by Section 520.005(e), Transportation Code, as added by this Act, not later than September 1, 2020.

#### ARTICLE 5. MOTOR VEHICLE CRIME PREVENTION AUTHORITY

SECTION 5.01. Amends Subtitle M, Title 7, Transportation Code, by adding Chapter 1006 and adding a heading to that chapter to read as follows:

##### CHAPTER 1006. MOTOR VEHICLE CRIME PREVENTION AUTHORITY

SECTION 5.02. Amends Chapter 1006, Transportation Code, as added by this Act, by adding Subchapter A and adding a heading to that subchapter, as follows:

##### SUBCHAPTER A. GENERAL PROVISIONS

SECTION 5.03. Transfers Section 1, Article 4413(37), Revised Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B. 3225), Acts of the 80th Legislature, Regular Session, 2007, to Subchapter A, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.001, Transportation Code, reenacts it, and amends it as follows:

Sec. 1006.001. DEFINITIONS. Defines, for purposes of this chapter, rather than this article:

- (1) "Authority" as the Motor Vehicle Crime Prevention Authority, rather than the Automobile Burglary and Theft Prevention Authority;
- (2) Makes no changes to this subdivision;
- (3) "Insurer" as any insurance company writing any form of motor vehicle insurance in this state, including an interinsurance or reciprocal exchange, mutual company, mutual association, or Lloyd's plan. Deletes existing text defining "department."
- (4) Deletes existing text defining "director." Redesignates existing Subdivision (5) as this subdivision and makes no further changes to this subdivision; and
- (5) "Motor vehicle burglary or theft" to include economic motor vehicle theft.

SECTION 5.04. Transfers Section 2, Article 4413(37), Revised Statutes, to Subchapter A, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.002, Transportation Code, and amends it as follows:

Sec. 1006.002. ESTABLISHMENT. Provides that the Motor Vehicle Crime Prevention Authority (authority), rather than the Automobile Burglary and Theft Prevention Authority, is established in TxDMV. Provides that the authority is not an advisory body to TxDMV and makes nonsubstantive changes.

SECTION 5.05. Amends Chapter 1006, Transportation Code, as added by this Act, by adding Subchapter B and adding a heading to that subchapter to read as follows:

#### SUBCHAPTER B. COMPOSITION AND ADMINISTRATION

SECTION 5.06. Transfers Sections 3(a), (b), (c), (d), (i), (j), and (k), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Sections 1006.051 and 1006.052, Transportation Code, and amends them as follows:

Sec. 1006.051. AUTHORITY MEMBERSHIP. (a)-(b) Makes no changes to these subsections.

(c) Provides that the public safety director of DPS, rather than the director of DPS, or the public safety director's designee serves ex officio as the seventh member of the authority.

(d) Makes no changes to this subsection.

Sec. 1006.052. ELIGIBILITY RESTRICTIONS. (a) Makes conforming and nonsubstantive changes and provides that a person is not eligible for appointment as a representative of motor vehicle insurance consumers under Section 1006.051(b)(1) if the person or the person's spouse:

(1)–(3) makes no changes to these subdivisions;

(4) makes a nonsubstantive change to this subdivision; or

(5) makes no changes to this subdivision.

(b) Makes conforming and nonsubstantive changes to this subsection.

(c) Deletes existing text prohibiting a person from acting as general counsel to the authority if the person is required to register as a lobbyist under Chapter 305 (Registration of Lobbyists), Government Code, because of the person's activities for compensation on behalf of a profession related to motor vehicle insurance or law enforcement. Makes conforming and nonsubstantive changes.

SECTION 5.07. Transfers Section 3(e), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.053, Transportation Code, and amends it as follows:

Sec. 1006.053. TERM OF OFFICE; VACANCY. (a) Makes a conforming change to this subsection.

(b) Creates this subsection from existing text and makes no further changes to this subsection.

SECTION 5.08. Transfers Section 5(a), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.054, Transportation Code, and amends it as follows:

Sec. 1006.054. PRESIDING OFFICER. Makes a conforming change to this section.

SECTION 5.09. Transfers Sections 3(f), (g), (h), and (l), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Sections 1006.055 and 1006.056, Transportation Code, and amends them as follows:

Sec. 1006.055. GROUNDS FOR REMOVAL. (a) and (b) Makes conforming and nonsubstantive changes to these subsections.

(c) Requires the executive director, if the executive director has knowledge that a potential ground for removal exists, to notify the presiding officer of the authority of the potential ground. Requires the executive director, if the potential ground for removal involves the presiding officer, to notify the next highest officer of the authority, who is required to take certain actions.

Sec. 1006.056. INFORMATION ON QUALIFICATIONS AND CONDUCT. Requires the executive director or the executive director's designee to provide to members of the authority, as often as necessary, certain information regarding the members. Makes conforming and nonsubstantive changes.

SECTION 5.10. Transfers Sections 5(c), (d), and (e), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Section 1006.057, Transportation Code, and amends them as follows:

Sec. 1006.057. MEMBER TRAINING. (a) Prohibits a person who is appointed to and qualifies for office as a member of the authority from voting, deliberating, or being counted as a member in attendance at a meeting of the authority until the person completes a training program that complies with this section, rather than requiring a person appointed to the authority to complete at least one course of a training program that complies with Subsection (d) to be eligible to take office as a member of the authority. Makes a conforming change.

(b) Redesignates existing Subsection (d) as this subsection. Makes conforming and nonsubstantive changes. Requires the training program to provide the person with information regarding:

(1) the law governing authority operations, rather than the enabling legislation that created the authority and its policymaking body to which the member is appointed to serve;

(2) the programs, functions, rules, and budget of the authority, rather than the programs operated by the authority;

(3) the scope of and limitations on the rulemaking authority of the authority, rather than the role and functions of the authority;

(4) deletes existing text relating to the rules of the authority and TxDMV, deletes existing Subdivision (5) relating to the current budget for the authority and Subdivision (8) relating to conflict-of-interest laws, redesignates existing Subdivision (6) as this subdivision, and redesignates existing Subdivision (7) as Subdivision (5);

(5) the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest, rather than the requirements of the open meetings law, Chapter 551, Government Code, open records law, Chapter 552,

Government Code, and administrative procedure law, Chapter 2001, Government Code; and

(B) other laws applicable to members of the authority in performing their duties; and

(6) Redesignates existing Subdivision (9) as this subdivision and makes no further changes to this subdivision.

(c) Makes a conforming change. Entitles a person appointed to the authority to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program, regardless of whether the attendance at the program occurs before or after the person qualifies for office, rather than entitling a person appointed to the authority to reimbursement for travel expenses incurred in attending the training program required by Subsection (c) as provided by the General Appropriations Act and as if the person were a member of the authority.

(d) Requires the executive director to create a training manual that includes the information required by Subsection (b). Requires the executive director to distribute a copy of the training manual annually to each member of the authority. Requires each member of the authority to sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 5.11. Transfers Section 4, Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.058, Transportation Code, and amends it as follows:

Sec. 1006.058. New heading: REIMBURSEMENT FOR EXPENSES. Provides that a member of the authority is not entitled to compensation for service on the authority, rather than is not entitled to compensation, but is entitled to reimbursement for certain expenses. Makes a nonsubstantive change.

SECTION 5.12. Transfers Sections 6(e), (f), and (g), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Sections 1006.059 and 1006.060, Transportation Code, and amends them as follows:

Sec. 1006.059. PERSONNEL AND SERVICES. (a) Deletes existing text providing that certain services authorized to be provided by or through TxDMV to the authority are not limited to those listed services. Deletes existing text authorizing the authority to enter into contracts in its own name and on its own behalf with recipients of grants for purposes of this article, except as provided by this section. Makes conforming and nonsubstantive changes.

(b) Makes a conforming change to this subsection.

Sec. 1006.060. DIVISION OF RESPONSIBILITIES. Makes a conforming change to this section.

SECTION 5.13. Transfers Section 5(b), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.061, Transportation Code, and amends it as follows:

Sec. 1006.061. MEETINGS. Makes a conforming change and requires the authority to meet at the call of the presiding officer, rather than the chairman, or at the call of four members.

SECTION 5.14. Transfers Section 6(h), Article 4413(37), Revised Statutes, to Subchapter B, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.062, Transportation Code, and amends it as follows:

Sec. 1006.062. PUBLIC TESTIMONY. Makes conforming and nonsubstantive changes to this section.

SECTION 5.15. Amends Subchapter B, Chapter 1006, Transportation Code, as added by this Act, by adding Section 1006.063, as follows:

Sec. 1006.063. LOBBYIST PROHIBITION: GENERAL COUNSEL. Prohibits a person from acting as the general counsel to the authority if the person is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to motor vehicle insurance or law enforcement.

SECTION 5.16. Amends Chapter 1006, Transportation Code, as added by this Act, by adding Subchapter C and adding a heading to that subchapter to read as follows:

#### SUBCHAPTER C. POWERS AND DUTIES

SECTION 5.17. Transfers Sections 6(a), (b), (c), and (d), Article 4413(37), Revised Statutes, to Subchapter C, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Section 1006.101, Transportation Code, and amends them as follows:

Sec. 1006.101. GENERAL POWERS AND DUTIES. (a) Makes a nonsubstantive change to this subsection.

(b) Makes no change to this subsection.

(c) and (d) Makes nonsubstantive changes to these subsections.

SECTION 5.18. Transfers Section 7, Article 4413(37), Revised Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B. 3225), Acts of the 80th Legislature, Regular Session, 2007, to Subchapter C, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.102, Transportation Code, reenacts it, and amends it as follows:

Sec. 1006.102. PLAN OF OPERATION. (a) Makes conforming and nonsubstantive changes to this subsection.

(b) Requires the authority's plan of operation to include:

(1) an assessment of the scope of the problems of motor vehicle burglary or theft and fraud-related motor vehicle crime, rather than of motor vehicle burglary or theft and economic motor vehicle theft, including particular areas of the state where the problems are greatest;

(2) an analysis of various methods of combating the problems of motor vehicle burglary or theft and fraud-related motor vehicle crime, rather than of motor vehicle burglary or theft and economic motor vehicle theft;

(3) a plan for providing financial support to combat motor vehicle burglary or theft and fraud-related motor vehicle crime, rather than of motor vehicle burglary or theft and economic motor vehicle theft; and

(4) makes no changes to this subdivision.

SECTION 5.19. Transfers Section 12, Article 4413(37), Revised Statutes, to Subchapter C, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.103, Transportation Code, and amends it as follows:

Sec. 1006.103. ADVISORY COMMITTEES. (a) Makes conforming and nonsubstantive changes to this subsection.

(b) and (c) Makes no changes to these subsections.

SECTION 5.20. Amends Chapter 1006, Transportation Code, as added by this Act, by adding Subchapter D, and adding a heading to read as follows:

#### SUBCHAPTER D. FINANCIAL PROVISIONS

SECTION 5.21. Transfers Sections 6(j) and (k), Article 4413(37), Revised Statutes, to Subchapter D, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Section 1006.151, Transportation Code, and amends them as follows:

Sec. 1006.151. GRANTS. (a) Authorizes the authority to enter into contracts in the authority's own name and on the authority's own behalf with recipients of grants for purposes of this chapter, subject to the requirements of this section.

(b) Makes conforming and nonsubstantive changes to this subsection. Requires the authority to:

(1) develop and periodically update, rather than develop and use, standard performance measures for each category of grants provided by the authority for use in assessing grantee success in achieving the purposes of this chapter; and

(2) ensure that grants are used to help increase:

(A) makes no changes to this paragraph;

(B) the clearance rate of motor vehicle burglaries and thefts and fraud-related motor vehicle crimes; and

(C) the number of persons arrested for motor vehicle burglary and theft and fraud-related motor vehicle crime, rather than the number of persons arrested for motor vehicle burglary and theft.

(c) Includes the number of fraud-related motor vehicle crimes committed in the state among the factors used by the authority to allocate grant funds.

(d) Requires the authority, in consultation with TxDMV, to annually update the performance measures developed under Subsection (b).

SECTION 5.22. Transfers Sections 6A and 10, Article 4413(37), Revised Statutes, to Subchapter D, Chapter 1006, Transportation Code, as added by this Act, redesignates them as Sections 1006.152 and 1006.153, Transportation Code, and amends them as follows:

Sec. 1006.152. New heading: REFUNDS. (a) Makes conforming and nonsubstantive changes to this subsection.

(b) Authorizes the authority, pursuant to a determination made under Subsection (a), rather than pursuant to such determination, to:

(1) Makes no changes to this subdivision; and

(2) Makes a nonsubstantive change to this subdivision.

(c) Requires the authority to make the determination under this section, rather than under Subsection (b) of this section. Makes a nonsubstantive change.

(d) Makes nonsubstantive changes to this subsection.

(e) Deletes existing text creating an exception under Subsection (f) to the requirement that a request for refund made under this section be made not later than four years after the date the payment was made to the authority under Section 1006.153. Makes a conforming change.

Sec. 1006.153. New heading: FEE IMPOSED ON INSURER. (a) Makes nonsubstantive and conforming changes. Deletes existing text defining "insurer."

(b) Requires a certain fee paid by an insurer to the authority to be paid not later than:

(1) and (2) makes nonsubstantive changes to these subdivisions.

(c) Makes no change to this subsection.

(d) Requires the authority to notify the Texas Department of Insurance (TDI), rather than the State Board of Insurance, of any insurer that fails to pay the fee required by this section, and authorizes TDI, rather than the State Board of Insurance, to for that reason revoke the insurer's certificate of authority.

(e) Makes a conforming change to this subsection.

SECTION 5.23. Transfers Section 8, Article 4413(37), Revised Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B. 3225), Acts of the 80th Legislature, Regular Session, 2007, to Subchapter D, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.154, Transportation Code, reenacts it, and amends it as follows:

Sec. 1006.154. USE OF APPROPRIATED FUNDS. (a) Makes conforming changes. Requires money appropriated to TxDMV for authority purposes to be used by the authority to pay TxDMV for administrative costs and to achieve the purposes of this chapter, including:

(1) Deletes existing text including establishing and funding the motor vehicle registration program required by Section 9 of this article. Redesignates existing Subdivision (2) as this subdivision and amends it to include providing financial support to law enforcement agencies for fraud-related motor vehicle crime enforcement teams. Redesignates existing Subdivisions (3)–(6) as Subdivisions (2)–(5);

(2) providing financial support to law enforcement agencies, local prosecutors, judicial agencies, and neighborhood, community, business, and nonprofit organizations for programs designed to reduce the incidence of economic motor vehicle theft and fraud-related motor vehicle crime, rather than reduce the incidence of economic motor vehicle theft;

(3) conducting educational programs designed to inform motor vehicle owners of methods of preventing motor vehicle burglary or theft and fraud-related motor vehicle crime, rather than preventing motor vehicle burglary or theft; and

(4) and (5) makes no further changes to these subdivisions.

(b) and (c) Makes no changes to these subsections.

SECTION 5.24. Transfers Section 6(i), Article 4413(37), Revised Statutes, to Subchapter D, Chapter 1006, Transportation Code, as added by this Act, redesignates it as Section 1006.155, Transportation Code, and amends it as follows:

Sec. 1006.155. ANNUAL FINANCIAL REPORT. Makes conforming and nonsubstantive changes to this section.

SECTION 5.25. Amends Section 981.073(b), Insurance Code, as follows:

(b) Provides that a domestic surplus lines insurer is not subject to:

(1)–(9) makes no changes to these subdivisions; and

(10) Chapter 1006, Transportation Code, rather than Article 4413(37), Revised Statutes.

SECTION 5.26. Amends Section 201.805(a), Transportation Code, as follows:

(a) Requires TxDMV to annually publish in appropriate media and on TxDMV's Internet website in a format that allows the information to be read into a commercially available electronic database a statistical comparison of TxDMV districts and the following information, calculated on a per capita basis considering the most recent census data and listed for each county and for the state for each fiscal year:

(1)–(8) makes no changes to these subdivisions;

(9) information regarding grant programs, including:

(A) Motor Vehicle Crime Prevention Authority grants, rather than Automobile Theft Prevention Authority grants; and

(B)–(E) makes no changes to these paragraphs; and

(10)–(15) makes no changes to these subdivisions.

SECTION 5.27. Amends Section 1001.151(c), Transportation Code, to prohibit money appropriated to TxDMV for Motor Vehicle Crime Prevention Authority purposes, rather than for Automobile Burglary and Theft Prevention Authority purposes, and other revenue collected or received by the Motor Vehicle Crime Prevention Authority, rather than by the Automobile Burglary and Theft Prevention Authority, from being deposited into the fund.

SECTION 5.28. Repealer: Section 9 (Motor Vehicle Registration Program), Article 4413(37), Revised Statutes.

Repealer: Section 11 (Performance Review), Article 4413(37), Revised Statutes.

Repealer: the heading to Section 3 (Report Contents), Article 4413(37), Revised Statutes.

Repealer: the heading to Section 5 (Officers; Meetings), Article 4413(37), Revised Statutes.

Repealer: the heading to Section 6 (Powers and Duties), Article 4413(37), Revised Statutes.

Repealer: the heading to Article 4413(37) (Automobile Burglary and Theft Prevention Authority), Revised Statutes.

SECTION 5.29. (a) Provides that Section 1006.057, Transportation Code, as transferred, redesignated, and amended by this Act, applies to a person who is appointed before, on, or after the effective date of this Act to the Automobile Burglary and Theft Prevention Authority or Motor Vehicle Crime Prevention Authority, as applicable, except as provided by Subsection (b) of this section.

(b) Requires a member of the Motor Vehicle Crime Prevention Authority who, before the effective date of this Act, completed the training program required by Sections 5(c), (d), and (e), Article 4413(37), Revised Statutes, as that law existed before the effective date of this Act, to complete additional training only on subjects added by this Act to the training program as required by Section 1006.057, Transportation Code, as transferred, redesignated, and amended by this Act. Prohibits a board member described by this subsection from voting, deliberating, or being counted as a member in attendance at a meeting of the board held on or after December 1, 2019, until the member completes the additional training.

SECTION 5.30. (a) Provides that, on the effective date of this Act:

(1) the name of the Automobile Burglary and Theft Prevention Authority is changed to the Motor Vehicle Crime Prevention Authority, and all powers, duties, rights, and obligations of the Automobile Burglary and Theft Prevention Authority are the powers, duties, rights, and obligations of the Motor Vehicle Crime Prevention Authority;

(2) a member of the Automobile Burglary and Theft Prevention Authority is a member of the Motor Vehicle Crime Prevention Authority; and

(3) any appropriation for the Automobile Burglary and Theft Prevention Authority is an appropriation for the Motor Vehicle Crime Prevention Authority.

(b) Provides that, on and after the effective date of this Act, a reference in law to the Automobile Burglary and Theft Prevention Authority is a reference to the Motor Vehicle Crime Prevention Authority.

(c) Provides that the Motor Vehicle Crime Prevention Authority is the authority formerly known as the Automobile Burglary and Theft Prevention Authority in all respects. Provides that all personnel, equipment, data, documents, facilities, contracts, items, other property, rules, decisions, and proceedings of or involving the Automobile Burglary and Theft Prevention Authority are unaffected by the change in the name of the authority.

## ARTICLE 6. STUDY ON IMPOSING FEES ON ALTERNATIVELY FUELED VEHICLES

SECTION 6.01. DEFINITIONS. Defines "alternatively fueled vehicle," "conventional vehicle," and "motor fuel taxes."

SECTION 6.02. STUDY AND REPORT. (a) Requires TxDMV, using existing funds, to organize a study on the impact of the alternatively fueled vehicles industry on the state, the options available to the state for collecting fees from owners of alternatively fueled vehicles to replace the loss of revenue from motor fuel taxes, and the feasibility and desirability of establishing a fee for alternatively fueled vehicles.

(b) Requires the study organized under Subsection (a) of this section to be conducted by TxDMV, the Public Utility Commission of Texas, the Texas Department of Transportation, DPS, and the Texas Commission on Environmental Quality.

(c) Requires the study to examine:

(1) the current revenue generated from motor fuel taxes imposed on a conventional vehicle and each type of alternatively fueled vehicle for each mile the vehicle is operated;

(2) the net revenue generated by fees and taxes paid by owners of alternatively fueled vehicles and conventional vehicles for the use of the vehicle, including motor vehicle registration fees under Chapter 502, Transportation Code, motor fuel taxes, and taxes, fees, and surcharges on the retail sale of electricity consumed by alternatively fueled vehicles;

(3) the methods to determine the average number of miles traveled in this state by alternatively fueled vehicles and conventional vehicles each year;

(4) the type and amount of fees by which other states generate revenue from alternatively fueled vehicles and conventional vehicles;

(5) alternative methods for determining and collecting road use fees from owners of alternatively fueled vehicles, including methods that consider the weight of and the number of miles traveled by an alternatively fueled vehicle;

(6) the projected revenue to the state for each method examined under Subdivision (5) of this subsection;

(7) the projected impact of alternatively fueled vehicles on the state highway system, including the maintenance required because of the impact;

(8) the projected direct environmental benefit of alternatively fueled vehicles on vehicle emissions in this state; and

(9) the projected impact of alternatively fueled vehicles to the state's power grids and electricity markets.

(d) Requires TxDMV, not later than December 1, 2020, to prepare and submit to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature a written report that includes a summary of the results of the study conducted under this section and any legislative recommendations based on the study.

SECTION 6.03. EXPIRATION DATE. Provides that this article expires September 1, 2021.

#### ARTICLE 7. EFFECTIVE DATE

SECTION 7.01. Effective date: September 1, 2019.