

BILL ANALYSIS

Senate Research Center
88R3724 CXP-D

H.B. 3288
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires the Texas Department of Motor Vehicles (TxDMV) notice of transfer form for a used motor vehicle to be filed by a seller within 30 days of delivering the vehicle to the purchaser. The purpose of this form is to relieve the seller of liability for future parking tickets, tolls, or accidents involving the vehicle, and the form includes a place for the seller to state their full name and address and the purchaser's full name and address. However, it is currently not required that the form be completely filled out in order to be processed. H.B. 3288 will address this issue by clarifying that the form must be completed and include the full name, address, and telephone number of the purchaser.

H.B. 3288 amends the Transportation Code to require the notice form provided by TxDMV for the transfer of a used motor vehicle to include a place for the seller to state the telephone number of both the seller and the purchaser of the vehicle.

The bill conditions the rebuttable presumption that the purchaser of such a vehicle is the owner of the vehicle after the transfer and subject to civil and criminal liability arising out of the future use, operation, or abandonment of the vehicle on the notice of transfer received by TxDMV including the purchaser's full name, address, and telephone number. The bill applies only to the transfer of a used motor vehicle that occurs on or after the bill's effective date.

H.B. 3288 amends current law relating to notice of transfer of a used motor vehicle.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 501.147(b) and (c), Transportation Code, as follows:

(b) Requires that the notice of transfer be provided by Texas Department of Motor Vehicles (TxDMV) and include a place for the seller to state:

- (1) makes no change to this subdivision;
- (2) the full name, address, and telephone number of the seller;
- (3) the full name, address, and telephone number of the purchaser; and
- (4)-(6) makes no change to these subdivisions.

Makes nonsubstantive changes.

(c) Provides that this subsection applies only if TxDMV receives notice under Subsection (a) (relating to requiring TxDMV, on receipt of a written notice of transfer from the seller of a motor vehicle, to indicate the transfer on the motor vehicle records maintained by TxDMV) that includes the full name, address, and telephone number of the purchaser

before the 30th day after the date the seller delivered possession of the vehicle to the purchaser or in accordance with a certain section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.