

# Requiring title notations for flood vehicles

HB 2112 by E. Thompson (Zaffirini)

## Digest

HB 2112 would have added a definition of a “flood vehicle” to Transportation Code ch. 501, subch. E, which governs titles for nonrepairable and salvage motor vehicles. The bill would have required an insurance company that paid a claim on a nonrepairable or salvage motor vehicle and did not acquire ownership of the vehicle to submit a determination that the motor vehicle was a salvage or nonrepairable vehicle to the Texas Department of Motor Vehicles. The department would then have had to issue the relevant title for the vehicle with a notation that the department considered appropriate for a flood vehicle. An entity that took possession of a flood vehicle issued ownership documents without the required notation would have been required to notify the department.

## Governor’s reason for veto

“After Hurricane Harvey, I formed the Governor’s Commission to Rebuild Texas, which identified ways to improve how our government responds to natural disasters. One of the Commission’s recommendations was to develop a process for the Department of Motor Vehicles to coordinate with the Federal Emergency Management Agency to ensure that it has the information necessary to identify flooded vehicles. I have now signed into law House Bill 2310, which implements that recommendation.

“House Bill 2112 also seeks to address the challenge of identifying flooded vehicles, but in doing so, it would eliminate the current methodology for identification and repeal the provision of law added by House Bill 2310. The new process established in House Bill 2310 should have a chance to work.”

## Response

**Rep. Ed Thompson**, the bill’s author, said: “HB 2112, which is relating to salvage motor vehicles, including flood vehicles, and nonrepairable motor vehicles, passed nearly the same time as HB 2310, which I co-authored. HB 2310 amends Transportation Code sec. 501.09112 that our HB 2112 repeals. It was not our office’s intention to conflict in that manner. Because HB 2310 had already been signed into law, I requested that the governor veto HB 2112 as to not hinder the intent of HB 2310.”

**Sen. Judith Zaffirini**, the Senate sponsor, said: “Unfortunately, the Legislature’s efforts to address flood vehicle identification in the wake of Hurricane Harvey yielded two conflicting bills, namely, HB 2112 and HB 2310. We will monitor the implementation of HB 2310 and determine if we have to revisit the non-conflicting provisions of HB 2112, which offered a more comprehensive solution to the problem.

## Notes

HB 2112 passed on the Local, Consent, and Resolutions Calendar and was not analyzed in a *Daily Floor Report*.