

1-1 By: Rodríguez S.B. No. 2076
1-2 (In the Senate - Filed March 10, 2017; March 28, 2017, read
1-3 first time and referred to Committee on Transportation;
1-4 April 24, 2017, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2017,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Nichols	X		
1-10	Hall	X		
1-11	Creighton	X		
1-12	Garcia	X		
1-13	Hancock	X		
1-14	Hinojosa	X		
1-15	Kolkhorst	X		
1-16	Perry	X		
1-17	Rodríguez	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2076 By: Rodríguez

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the titling of motor vehicles; creating a criminal
1-22 offense and authorizing fees.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 501.002(30), Transportation Code, is
1-25 amended to read as follows:

1-26 (30) "Travel trailer" means a house trailer-type
1-27 vehicle or a camper trailer:

1-28 (A) that is a recreational vehicle defined under
1-29 24 C.F.R. Section 3282.8(g); or

1-30 (B) that:

1-31 (i) is less than eight feet six inches in
1-32 width or 45 [~~40~~] feet in length, exclusive of any hitch installed on
1-33 the vehicle;

1-34 (ii) is designed primarily for use as
1-35 temporary living quarters in connection with recreational,
1-36 camping, travel, or seasonal use;

1-37 (iii) is not used as a permanent dwelling;
1-38 and

1-39 (iv) is not a utility trailer, enclosed
1-40 trailer, or other trailer that does not have human habitation as its
1-41 primary function.

1-42 SECTION 2. Section 501.004(b), Transportation Code, is
1-43 amended to read as follows:

1-44 (b) This chapter does not apply to:

1-45 (1) a farm trailer or farm semitrailer with a gross
1-46 vehicle weight of not more than 34,000 pounds used only for the
1-47 transportation of farm products if the products are not transported
1-48 for hire;

1-49 (2) the filing or recording of a lien that is created
1-50 only on an automobile accessory, including a tire, radio, or
1-51 heater;

1-52 (3) a motor vehicle while it is owned or operated by
1-53 the United States; or

1-54 (4) a new motor vehicle on loan to a political
1-55 subdivision of the state for use only in a driver education course
1-56 conducted by an entity exempt from licensure under Section
1-57 1001.002, Education Code.

1-58 SECTION 3. Section 501.021(a), Transportation Code, is
1-59 amended to read as follows:

1-60 (a) A motor vehicle title issued by the department must

- 2-1 include:
- 2-2 (1) the legal name and address of each purchaser [~~and~~
- 2-3 ~~seller at the first sale or a subsequent sale~~];
- 2-4 (2) the legal name of the seller and the municipality
- 2-5 and state in which the seller is located or resides [~~make of the~~
- 2-6 ~~motor vehicle~~];
- 2-7 (3) the year, make, and body style [~~type~~] of the
- 2-8 vehicle;
- 2-9 (4) the [~~manufacturer's permanent~~] vehicle
- 2-10 identification number of the vehicle [~~or the vehicle's motor number~~
- 2-11 ~~if the vehicle was manufactured before the date that stamping a~~
- 2-12 ~~permanent identification number on a motor vehicle was universally~~
- 2-13 ~~adopted~~];
- 2-14 (5) if the vehicle is subject to odometer disclosure
- 2-15 under Section 501.072, the odometer reading and odometer brand as
- 2-16 recorded on the last title assignment [~~serial number~~] for the
- 2-17 vehicle;
- 2-18 (6) the name and address of each lienholder and the
- 2-19 date of each lien on the vehicle, listed in the chronological order
- 2-20 in which the lien was recorded;
- 2-21 (7) a statement indicating rights of survivorship
- 2-22 under Section 501.031; and
- 2-23 (8) [~~if the vehicle has an odometer, the odometer~~
- 2-24 ~~reading at the time of application for the title, and~~
- 2-25 [~~9~~] any other information required by the
- 2-26 department.

2-27 SECTION 4. Section 501.023(a), Transportation Code, is

2-28 amended to read as follows:

2-29 (a) The owner of a motor vehicle must present identification

2-30 and apply for a title as prescribed by the department, unless

2-31 otherwise exempted by law. To obtain a title, the owner must apply:

- 2-32 (1) to the county assessor-collector in the county in
- 2-33 which:
- 2-34 (A) the owner is domiciled; or
- 2-35 (B) the motor vehicle is purchased or encumbered;

2-36 or

2-37 (2) [~~if the county in which the owner resides has been~~

2-38 ~~declared by the governor as a disaster area, to the county~~

2-39 ~~assessor-collector in one of the closest unaffected counties to a~~

2-40 ~~county that asks for assistance and:~~

2-41 [~~(A) continues to be declared by the governor as~~

2-42 ~~a disaster area because the county has been rendered inoperable by~~

2-43 ~~the disaster, and~~

2-44 [~~(B) is inoperable for a protracted period of~~

2-45 ~~time, or~~

2-46 [~~(3) if the county assessor-collector's office of the~~

2-47 ~~county in which the owner resides is closed for a protracted period~~

2-48 ~~of time as defined by the department,] to the county~~

2-49 assessor-collector of a county [~~that borders the county in which~~

2-50 ~~the owner resides] who is willing [~~agrees~~] to accept the~~

2-51 application if the county assessor-collector's office of the county

2-52 in which the owner resides is closed or may be closed for a

2-53 protracted period of time as defined by the department.

2-54 SECTION 5. Section 501.030(a), Transportation Code, is

2-55 amended to read as follows:

2-56 (a) Before a motor vehicle that was last registered or

2-57 titled in another state or country may be titled in this state, the

2-58 county assessor-collector shall verify that the vehicle has passed

2-59 the inspections required by Chapter 548, as indicated in the

2-60 Department of Public Safety's inspection database under Section

2-61 548.251, or that the owner has obtained an identification number

2-62 inspection in accordance with department rule.

2-63 SECTION 6. The heading to Section 501.032, Transportation

2-64 Code, is amended to read as follows:

2-65 Sec. 501.032. [~~ASSIGNMENT OF VEHICLE~~] IDENTIFICATION

2-66 NUMBER INSPECTION REQUIRED [~~BY DEPARTMENT~~].

2-67 SECTION 7. Sections 501.032(a) and (b), Transportation

2-68 Code, are amended to read as follows:

2-69 (a) In addition to any requirement established by

3-1 department rule, a motor vehicle, trailer, or semitrailer must have
 3-2 an identification number inspection under Section 501.0321 if:

3-3 (1) the department does not have a motor vehicle
 3-4 record for the motor vehicle, trailer, or semitrailer in the
 3-5 department's registration and title system, and the owner of the
 3-6 motor vehicle, trailer, or semitrailer is filing a bond with the
 3-7 department under Section 501.053;

3-8 (2) the motor vehicle, trailer, or semitrailer was
 3-9 last titled or registered outside of the United States and imported
 3-10 into the United States; or

3-11 (3) the owner or person claiming ownership requires an
 3-12 assigned or reassigned identification number under Section 501.033
 3-13 [~~On proper application, the department shall assign a vehicle~~
 3-14 ~~identification number to a travel trailer, a trailer or~~
 3-15 ~~semitrailer, a frame, or an item of equipment, including a tractor,~~
 3-16 ~~farm implement, unit of special mobile equipment, or unit of~~
 3-17 ~~off-road construction equipment:~~

3-18 [~~(1) on which a vehicle identification number was not~~
 3-19 ~~die-stamped by the manufacturer;~~

3-20 [~~(2) on which a vehicle identification number~~
 3-21 ~~die-stamped by the manufacturer has been lost, removed, or~~
 3-22 ~~obliterated; or~~

3-23 [~~(3) for which a vehicle identification number was~~
 3-24 ~~never assigned].~~

3-25 (b) An active duty member of a branch of the United States
 3-26 armed forces, or an immediate family member of such a member,
 3-27 returning to Texas with acceptable proof of the active duty status
 3-28 is exempt from an identification number inspection required under
 3-29 Subsection (a)(2) [~~The applicant shall die-stamp the assigned~~
 3-30 ~~vehicle identification number at the place designated by the~~
 3-31 ~~department on the travel trailer, trailer, semitrailer, frame, or~~
 3-32 ~~equipment].~~

3-33 SECTION 8. Subchapter B, Chapter 501, Transportation Code,
 3-34 is amended by adding Sections 501.0321 and 501.0322 to read as
 3-35 follows:

3-36 Sec. 501.0321. IDENTIFICATION NUMBER INSPECTION. (a) An
 3-37 inspection required under Section 501.032 must verify, as
 3-38 applicable, the identity of:

3-39 (1) a motor vehicle;

3-40 (2) a trailer or semitrailer;

3-41 (3) a frame, body, or motor of a motor vehicle; or

3-42 (4) an item of equipment not required to be titled but
 3-43 that may be registered under Chapter 502 or issued licensed plates
 3-44 under Chapter 504.

3-45 (b) An inspection under this section may not rely solely on
 3-46 the public identification number to verify the identity.

3-47 (c) An inspection under this section may be performed only
 3-48 by a person who has successfully completed an appropriate training
 3-49 program as determined by department rule and is:

3-50 (1) an auto theft investigator who is a law
 3-51 enforcement officer of this state or a political subdivision of
 3-52 this state;

3-53 (2) a person working under the direct supervision of a
 3-54 person described by Subdivision (1);

3-55 (3) an employee of the department authorized by the
 3-56 department to perform an inspection under this section; or

3-57 (4) an employee of the National Insurance Crime Bureau
 3-58 authorized by the department to perform an inspection under this
 3-59 section.

3-60 (d) The department shall prescribe a form on which the
 3-61 identification number inspection is to be recorded. The department
 3-62 may provide the form only to a person described by Subsection (c).

3-63 (e) The department or another entity that provides an
 3-64 inspection under this section may impose a fee of not more than \$40
 3-65 for the inspection. The county or municipal treasurer of a county
 3-66 or municipal entity that provides an inspection under this section
 3-67 shall credit the fee to the general fund of the county or
 3-68 municipality, as applicable, to defray the entity's cost associated
 3-69 with the inspection. If the department provides an inspection

4-1 under this section, the fee shall be deposited to the credit of the
4-2 Texas Department of Motor Vehicles fund.

4-3 (f) The department may not impose a fee for an inspection
4-4 requested by the department. The department shall include a
4-5 notification of the waiver to the owner at the time the department
4-6 requests the identification number inspection.

4-7 Sec. 501.0322. ALTERNATIVE IDENTIFICATION NUMBER
4-8 INSPECTION. The department by rule may establish a process for
4-9 verifying the identity of an item listed in Section 501.0321(a) as
4-10 an alternative to an identification number inspection under Section
4-11 501.0321. The rules may include the persons authorized to perform
4-12 the inspection, when an alternative inspection under this section
4-13 is required, and any fees that may be assessed. Any fee authorized
4-14 must comply with Sections 501.0321(e) and (f).

4-15 SECTION 9. Section 501.033, Transportation Code, is amended
4-16 to read as follows:

4-17 Sec. 501.033. ASSIGNMENT AND REASSIGNMENT OF
4-18 IDENTIFICATION NUMBER BY DEPARTMENT. (a) If the permanent
4-19 identification number affixed by the manufacturer has been removed,
4-20 altered, or obliterated, or a permanent identification number was
4-21 never assigned, the department shall assign an identification
4-22 number to [A person determined by law enforcement or a court to be
4-23 the owner of] a motor vehicle, [travel trailer,] semitrailer, [or]
4-24 trailer, motor [a part of a motor vehicle], [travel trailer,
4-25 semitrailer, or trailer, a] frame, or body of a motor vehicle, or an
4-26 item of equipment not required to be titled but that may be
4-27 registered under Chapter 502 or issued license plates under Chapter
4-28 504 on inspection under Section 501.0321 and application to the
4-29 department [including a tractor, farm implement, unit of special
4-30 mobile equipment, or unit of off-road construction equipment may
4-31 apply to the department for an assigned vehicle identification
4-32 number that has been removed, altered, obliterated, or has never
4-33 been assigned].

4-34 (b) An application under this section must be in a manner
4-35 prescribed by the department and accompanied by valid evidence of
4-36 ownership in the name of, or properly assigned to, the applicant as
4-37 required by the department.

4-38 (c) A fee of \$2 must accompany each application under this
4-39 section to be deposited in the Texas Department of Motor Vehicles
4-40 fund.

4-41 (d) The assigned [~~vehicle~~] identification number shall be
4-42 die-stamped or otherwise affixed in the manner and location
4-43 designated by the department.

4-44 (e) The department shall reassign an original
4-45 manufacturer's identification number only if the person who
4-46 conducts the inspection under Section 501.0321 determines that the
4-47 permanent identification number affixed by the manufacturer has
4-48 been removed, altered, or obliterated [~~If the auto theft unit of a~~
4-49 ~~county or municipal law enforcement agency conducts an inspection~~
4-50 ~~required by the department under this section, the agency may~~
4-51 ~~impose a fee of \$40. The county or municipal treasurer shall credit~~
4-52 ~~the fee to the general fund of the county or municipality, as~~
4-53 ~~applicable, to defray the agency's cost associated with the~~
4-54 ~~inspection. The fee shall be waived by the department or agency~~
4-55 ~~imposing the fee if the person applying under this section is the~~
4-56 ~~current registered owner].~~

4-57 (f) If the department reassigns a manufacturer's
4-58 identification number, a representative of the department shall
4-59 affix the number in a manner and location designated by the
4-60 department.

4-61 (g) On affixing an assigned identification number or
4-62 witnessing the affixing of a reassigned identification number, the
4-63 owner or the owner's representative shall certify on a form
4-64 prescribed by the department that the identification number has
4-65 been affixed in the manner and location designated by the
4-66 department and shall submit the form in a manner prescribed by the
4-67 department.

4-68 (h) Only the department may issue an identification number
4-69 to a motor vehicle, trailer, semitrailer, motor, frame, or body of a

5-1 motor vehicle, or an item of equipment not required to be titled but
5-2 that may be registered under Chapter 502 or issued license plates
5-3 under Chapter 504. The department may not recognize an
5-4 identification number assigned by any other agency or political
5-5 subdivision of this state.

5-6 SECTION 10. Section 501.036, Transportation Code, is
5-7 amended to read as follows:

5-8 Sec. 501.036. TITLE FOR FARM TRAILER OR FARM SEMITRAILER.

5-9 (a) Notwithstanding any other provision of this chapter, the
5-10 department may issue a title for a farm trailer or farm semitrailer
5-11 with a gross vehicle weight of not more than 34,000 [4,000] pounds
5-12 if[+

5-13 ~~[(1) the farm semitrailer is eligible for registration~~
5-14 ~~under Section 502.146; and~~

5-15 ~~[(2)] all [other] requirements for issuance of a title~~
5-16 are met.

5-17 (b) To obtain a title under this section, the owner [~~of the~~
5-18 ~~farm semitrailer]~~ must:

5-19 (1) apply for the title in the manner required by
5-20 Section 501.023; and

5-21 (2) pay the fee required by Section 501.138.

5-22 (c) A subsequent purchaser of a farm trailer or farm
5-23 semitrailer titled previously under this section or in another
5-24 jurisdiction must obtain a title under [~~The department shall adopt~~
5-25 ~~rules to implement and administer]~~ this section.

5-26 SECTION 11. Section 501.037, Transportation Code, is
5-27 amended to read as follows:

5-28 Sec. 501.037. TITLE FOR TRAILERS OR SEMITRAILERS.

5-29 (a) Notwithstanding any other provision of this chapter, the
5-30 department may issue a title for a trailer or semitrailer that has a
5-31 gross vehicle weight of 4,000 pounds or less if all other
5-32 requirements for issuance of a title are met.

5-33 (b) To obtain a title under this section, the owner of the
5-34 trailer or semitrailer must:

5-35 (1) apply for the title in the manner required by
5-36 Section 501.023; and

5-37 (2) pay the fee required by Section 501.138.

5-38 (c) A subsequent purchaser of a trailer or semitrailer
5-39 titled previously under this section or in another jurisdiction
5-40 must obtain a title under this section.

5-41 SECTION 12. Section 501.071(a), Transportation Code, is
5-42 amended to read as follows:

5-43 (a) Except as provided by Sections 503.036 and [~~in Section]~~
5-44 503.039, a motor vehicle may not be the subject of a subsequent sale
5-45 unless the owner designated on the title submits a transfer of
5-46 ownership of the title.

5-47 SECTION 13. Section 501.072, Transportation Code, is
5-48 amended to read as follows:

5-49 Sec. 501.072. ODOMETER DISCLOSURE STATEMENT. (a) Except
5-50 as provided by Subsection (c), the transferor [~~seller]~~ of a motor
5-51 vehicle transferred [~~sold]~~ in this state shall provide to the
5-52 transferee [~~buyer, on a form prescribed by the department,~~] a
5-53 [~~written]~~ disclosure of the vehicle's odometer reading at the time
5-54 of the transfer in compliance with 49 U.S.C. Section 32705 [~~sale.~~
5-55 ~~The form must include space for the signature and printed name of~~
5-56 ~~both the seller and buyer].~~

5-57 (b) When application for a [~~certificate of]~~ title is made,
5-58 the transferee [~~owner]~~ shall record the [~~current]~~ odometer reading
5-59 on the application. The [~~written]~~ disclosure required by
5-60 Subsection (a) must accompany the application.

5-61 (c) An odometer disclosure statement is not required for the
5-62 transfer [~~sale]~~ of a motor vehicle that is exempt from odometer
5-63 disclosure requirements under 49 C.F.R. Part 580[+]

5-64 ~~[(1) has a manufacturer's rated carrying capacity of~~
5-65 ~~more than two tons,~~

5-66 ~~[(2) is not self-propelled,~~

5-67 ~~[(3) is 10 or more years old,~~

5-68 ~~[(4) is sold directly by the manufacturer to an agency~~
5-69 ~~of the United States government in conformity with contractual~~

6-1 ~~specifications, or~~

6-2 [~~(5) is a new motor vehicle~~].

6-3 (d) The department shall provide for use consistent with 49

6-4 C.F.R. Part 580:

6-5 (1) a secure power of attorney form; and

6-6 (2) a secure reassignment form for licensed motor

6-7 vehicle dealers.

6-8 (e) In this section, "transferee" and "transferor" have the

6-9 meanings assigned by 49 C.F.R. Part 580.

6-10 SECTION 14. Section 501.091(9), Transportation Code, is

6-11 amended to read as follows:

6-12 (9) "Nonrepairable motor vehicle" means a motor

6-13 vehicle [~~that~~]:

6-14 (A) that is damaged, wrecked, or burned to the

6-15 extent that the only residual value of the vehicle is as a source of

6-16 parts or scrap metal; [~~or~~]

6-17 (B) that comes into this state under a comparable

6-18 ownership document that indicates that the vehicle is

6-19 nonrepairable;

6-20 (C) that a salvage vehicle dealer has reported to

6-21 the department under Section 501.1003;

6-22 (D) for which an owner has surrendered evidence

6-23 of ownership for the purpose of dismantling, scrapping, or

6-24 destroying the motor vehicle; or

6-25 (E) that is sold for export only under Section

6-26 501.099.

6-27 SECTION 15. Section 501.09113(a), Transportation Code, is

6-28 amended to read as follows:

6-29 (a) On receipt of a proper application from the owner of a

6-30 motor vehicle, the department shall issue the applicant the

6-31 appropriate title with any notations determined by the department

6-32 as necessary to describe or disclose the motor vehicle's current or

6-33 former condition if the [~~This section applies only to a~~] motor

6-34 vehicle was brought into this state from another state or

6-35 jurisdiction and [~~that~~] has on any title or comparable out-of-state

6-36 ownership document issued by the other state or jurisdiction or

6-37 record in the National Motor Vehicle Title Information System

6-38 reported by another state or jurisdiction:

6-39 (1) a "rebuilt," "repaired," "reconstructed," "flood

6-40 damage," "fire damage," "owner retained," "salvage," or similar

6-41 notation; or

6-42 (2) a "nonrepairable," "dismantle only," "parts

6-43 only," "junked," "scrapped," "crushed," or similar notation.

6-44 SECTION 16. Section 501.097(a), Transportation Code, as

6-45 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of

6-46 the 82nd Legislature, Regular Session, 2011, is reenacted to read

6-47 as follows:

6-48 (a) An application for a nonrepairable vehicle title,

6-49 nonrepairable record of title, salvage vehicle title, or salvage

6-50 record of title must:

6-51 (1) be made in a manner prescribed by the department

6-52 and accompanied by a \$8 application fee;

6-53 (2) include, in addition to any other information

6-54 required by the department:

6-55 (A) the name and current address of the owner;

6-56 and

6-57 (B) a description of the motor vehicle, including

6-58 the make, style of body, model year, and vehicle identification

6-59 number; and

6-60 (3) include the name and address of:

6-61 (A) any currently recorded lienholder, if the

6-62 motor vehicle is a nonrepairable motor vehicle; or

6-63 (B) any currently recorded lienholder or a new

6-64 lienholder, if the motor vehicle is a salvage motor vehicle.

6-65 SECTION 17. Section 501.1001(a), Transportation Code, as

6-66 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of

6-67 the 82nd Legislature, Regular Session, 2011, is reenacted and

6-68 amended to read as follows:

6-69 (a) Except as provided by Section 501.0925, an insurance

7-1 company that is licensed to conduct business in this state and that
 7-2 acquires, through payment of a claim, ownership or possession of a
 7-3 salvage motor vehicle or nonrepairable motor vehicle [~~covered by a~~
 7-4 ~~certificate of title issued by this state or a manufacturer's~~
 7-5 ~~certificate of origin~~] shall surrender the [a] properly assigned
 7-6 evidence of ownership and apply for the appropriate title under
 7-7 Section 501.097 [~~title or manufacturer's certificate of origin to~~
 7-8 ~~the department, on a form prescribed by the department~~].

7-9 SECTION 18. Section 501.1002(a), Transportation Code, as
 7-10 amended by Chapters 1136 (H.B. 1422) and 1296 (H.B. 2357), Acts of
 7-11 the 82nd Legislature, Regular Session, 2011, is reenacted to read
 7-12 as follows:

7-13 (a) If an insurance company pays a claim on a nonrepairable
 7-14 motor vehicle or salvage motor vehicle and the insurance company
 7-15 does not acquire ownership of the motor vehicle, the insurance
 7-16 company shall:

7-17 (1) submit to the department, before the 31st day
 7-18 after the date of the payment of the claim, on the form prescribed
 7-19 by the department, a report stating that the insurance company:

7-20 (A) has paid a claim on the motor vehicle; and
 7-21 (B) has not acquired ownership of the motor
 7-22 vehicle; and

7-23 (2) provide notice to the owner of the motor vehicle
 7-24 of:

7-25 (A) the report required under Subdivision (1);
 7-26 and

7-27 (B) the requirements for operation or transfer of
 7-28 ownership of the motor vehicle under Subsection (b).

7-29 SECTION 19. Section 501.1002(b), Transportation Code, is
 7-30 amended to read as follows:

7-31 (b) The owner of a salvage or nonrepairable motor vehicle
 7-32 [~~to which this section applies~~] may not [~~operate or permit~~
 7-33 ~~operation of the motor vehicle on a public highway or~~] transfer
 7-34 ownership of the motor vehicle by sale or otherwise unless the
 7-35 department has issued a salvage vehicle title, salvage record of
 7-36 title, nonrepairable vehicle title, or nonrepairable record of
 7-37 title for the motor vehicle or a comparable ownership document has
 7-38 been issued by another state or jurisdiction for the motor vehicle
 7-39 in the name of the owner.

7-40 SECTION 20. Section 501.109, Transportation Code, is
 7-41 amended by amending Subsections (d) and (e) and adding Subsections
 7-42 (g) and (h) to read as follows:

7-43 (d) Except as provided by Subsection (e), an offense under
 7-44 Subsection (a), (b), or (c) [this section] is a Class C misdemeanor.

7-45 (e) If it is shown on the trial of an offense under
 7-46 Subsection (a), (b), or (c) [this section] that the defendant has
 7-47 been previously convicted of:

7-48 (1) one offense under Subsection (a), (b), or (c)
 7-49 [this section], the offense is a Class B misdemeanor; or

7-50 (2) two or more offenses under Subsection (a), (b), or
 7-51 (c) [this section], the offense is a state jail felony.

7-52 (g) A person commits an offense if the person knowingly
 7-53 provides false or incorrect information or without legal authority
 7-54 signs the name of another person on:

7-55 (1) an application for a title to a nonrepairable
 7-56 motor vehicle or salvage motor vehicle;

7-57 (2) an application for a certified copy of an original
 7-58 title to a nonrepairable motor vehicle or salvage motor vehicle;

7-59 (3) an assignment of title for a nonrepairable motor
 7-60 vehicle or salvage motor vehicle;

7-61 (4) a discharge of a lien on a title for a
 7-62 nonrepairable motor vehicle or salvage motor vehicle; or

7-63 (5) any other document required by the department or
 7-64 necessary for the transfer of ownership of a nonrepairable motor
 7-65 vehicle or salvage motor vehicle.

7-66 (h) An offense under Subsection (g) is a felony of the third
 7-67 degree.

7-68 SECTION 21. Effective January 1, 2019, the heading to
 7-69 Section 501.134, Transportation Code, is amended to read as

8-1 follows:

8-2 Sec. 501.134. CERTIFIED COPY OF LOST OR DESTROYED
8-3 CERTIFICATE OF TITLE.

8-4 SECTION 22. Effective January 1, 2019, Sections 501.134(a),
8-5 (b), (c), and (d), Transportation Code, are amended to read as
8-6 follows:

8-7 (a) If a printed title is lost or destroyed, the owner or
8-8 lienholder disclosed on the title may obtain, in the manner
8-9 provided by this section and department rule, a certified copy of
8-10 the lost or destroyed title directly from the department by
8-11 applying in a manner prescribed by the department and paying a fee
8-12 of \$2. A fee collected under this subsection shall be deposited to
8-13 the credit of the Texas Department of Motor Vehicles fund [~~and may~~
8-14 ~~be spent only as provided by Section 501.139~~].

8-15 (b) If a lien is disclosed on a title, the department may
8-16 issue a certified copy of the [~~original~~] title only to the first
8-17 lienholder or the lienholder's verified agent unless the owner has
8-18 original proof from the lienholder of lien satisfaction.

8-19 (c) The department must plainly mark "certified copy" on the
8-20 face of a certified copy issued under this section. [~~A subsequent~~
8-21 ~~purchaser or lienholder of the vehicle only acquires the rights,~~
8-22 ~~title, or interest in the vehicle held by the holder of the~~
8-23 ~~certified copy.~~]

8-24 (d) A certified copy of the title that is lawfully obtained
8-25 under this section supersedes and invalidates any previously issued
8-26 title or certified copy. If the certified copy of the title is
8-27 later rescinded, canceled, or revoked under Section 501.051, the
8-28 department may revalidate a previously superseded or invalidated
8-29 title or certified copy of title [~~A purchaser or lienholder of a~~
8-30 ~~motor vehicle having a certified copy issued under this section may~~
8-31 ~~at the time of the purchase or establishment of the lien require~~
8-32 ~~that the seller or owner indemnify the purchaser or lienholder and~~
8-33 ~~all subsequent purchasers of the vehicle against any loss the~~
8-34 ~~person may suffer because of a claim presented on the original~~
8-35 ~~title].~~

8-36 SECTION 23. Section 541.201(5), Transportation Code, is
8-37 amended to read as follows:

8-38 (5) "House trailer" means a trailer or semitrailer,
8-39 other than a towable recreational vehicle, that:

8-40 (A) is transportable on a highway in one or more
8-41 sections;

8-42 (B) is less than 45 [~~40~~] feet in length,
8-43 excluding tow bar, while in the traveling mode;

8-44 (C) is built on a permanent chassis;

8-45 (D) is designed to be used as a dwelling or for
8-46 commercial purposes if connected to required utilities; and

8-47 (E) includes plumbing, heating,
8-48 air-conditioning, and electrical systems.

8-49 SECTION 24. The following provisions of the Transportation
8-50 Code are repealed:

8-51 (1) Sections 501.032(c) and (d); and

8-52 (2) Section 501.09113(b).

8-53 SECTION 25. Except as otherwise provided by this Act, this
8-54 Act takes effect September 1, 2017.

8-55 * * * * *