

BILL ANALYSIS

Senate Research Center
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S.B. 1288
By: Williams
Finance
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1288 establishes authority for the board of the Texas Department of Motor Vehicles (board) (TxDMV) to create a processing and handling fee to cover the cost of the TxDMV, county tax assessor-collectors, and county deputies, related to initial registration and renewal. It will allow the board to set the compensation for county tax assessor-collectors to be paid from the fee. The bill requires that all credit card, automation, mail-in, online fees, and TxDMV and county compensation be included in the processing and handling fee.

S.B. 1288 allows the board to create new classifications of deputies, who may perform titling and registration duties, and set the compensation for the services provided. The bill establishes a dedicated account for the exclusive use by TxDMV to support TxDMV's operations, administration, and enforcement of TxDMV's functions. The bill will dedicate to the account all processing and handling, title, and license plate fees; revenue from the industry licensing; and donations, grants, loans, reimbursements, settlements or judgments, payments or royalties for the sale of property, and any other appropriations. Additionally, the bill will dedicate 10 percent of all fees, funds, penalties, or other revenue related to oversized/overweight vehicles.

As proposed, S.B. 1288 amends current law relating to the disposition of fees collected by or on behalf of the Texas Department of Motor Vehicles, and authorizes fees.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of the Texas Department of Motor Vehicles (board) in SECTION 4 (Section 501.0234, Transportation Code), SECTION 6 (Section 501.076, Transportation Code), SECTION 17 (Section 502.1911, Transportation Code), SECTION 43 (Section 520.016, Transportation Code), SECTION 41 (Section 520.0071, Transportation Code), SECTION 43 (Section 520.016, Transportation Code), and SECTION 69 of this bill.

Rulemaking authority previously granted to the board is modified in SECTION 45 (Section 621.352, Transportation Code) of this bill.

Rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 50 (Section 623.0711, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 232.014(b), Family Code, as follows:

- (b) Requires that a fee collected by the Texas Department of Motor Vehicles (TxDMV) be deposited to the credit of the TxDMV fund. Requires that a fee collected by the Texas Department of Public Safety (DPS) be deposited to the credit of the state highway fund.

SECTION 2. Amends Section 2301.156, Occupations Code, to require that all money collected by the board of TxDMV (board) under this chapter, notwithstanding any other law to the contrary, be deposited in the state treasury to the credit of the TxDMV fund, rather than the state highway fund.

SECTION 3. Amends Section 2301.801(c), Occupations Code, to require that a civil penalty recovered under this chapter, notwithstanding any other law to the contrary, be deposited in the state treasury to the credit of the TxDMV fund, rather than the state highway fund.

SECTION 4. Amends Section 501.0234(b), Transportation Code, to provide that this section does not apply to a motor vehicle purchased by a commercial fleet buyer who is a full-service deputy authorized by rules adopted under Section 520.0071, rather than Section 520.008 (Full-Service Deputies), and who utilizes the dealer title application process developed to provide a method to submit title transactions to the county in which the commercial fleet buyer is a full-service deputy.

SECTION 5. Amends Section 501.033(c), Transportation Code, to require that a fee of \$2 accompany each application under this section to be deposited in the TxDMV fund, rather than the state highway fund.

SECTION 6. Amends Section 501.076(c), Transportation Code, to require the person named as the agent in the limited power of attorney to meet certain requirements, including authorizing the person to be a person who has been deputized, rather than appointed by the commissioners court as a deputy, to perform vehicle registration functions as authorized by rules adopted under Section 520.0071, rather than Section 520.0091 (Deputy Assessor-Collectors).

SECTION 7. Amends Section 501.097(d), Transportation Code, to require that the fee collected under Subsection (a)(1) (relating to the requirement that an application for a nonrepairable vehicle title or salvage vehicle title be made on a form prescribed by TxDMV and accompanied by a \$8 application fee) be credited to the TxDMV fund, rather than credited to the state highway, to defray the costs of administering this subchapter and the costs to TxDMV for issuing the title.

SECTION 8. Amends Section 501.134(a), Transportation Code, to make a conforming change.

SECTION 9. Amends Section 501.138(c), Transportation Code, to make a conforming change.

SECTION 10. Amends Section 501.148(b), Transportation Code, to require TxDMV to deposit the remitted fees in the state treasury to the credit of the TxDMV fund.

SECTION 11. Amends Section 501.178, Transportation Code, to require that all fees collected under this subchapter be deposited to the credit of TxDMV fund, rather than to the credit of state highway fund.

SECTION 12. Amends Section 502.058, Transportation Code, by adding Subsection (c), to require that a fee collected under Subsection (a) (authorizing the owner of a vehicle for which the registration receipt has been lost or destroyed obtain a duplicate receipt from TxDMV or the county assessor-collector who issued the original receipt by paying a fee of \$2) be deposited to the credit of the TxDMV fund.

SECTION 13. Amends Section 502.060, Transportation Code, by adding Subsection (e), to require the portion of the fee sent to TxDMV under Subsection (d) (requiring a county assessor-collector to retain \$2.50 of each fee collected under this section and is required to report and send the remainder to TxDMV) to be deposited to the credit of the TxDMV fund.

SECTION 14. Amends Section 502.094(h), Transportation Code, to authorize TxDMV to establish one or more escrow accounts in the TxDMV fund, rather than state highway fund.

SECTION 15. Amends Section 502.146(a), Transportation Code, to require that the fee for the license plates is \$5 and requires that the fee be deposited to the credit of TxDMV fund.

SECTION 16. Amends Section 502.191, Transportation Code, by adding Subsection (f), to prohibit TxDMV from collecting a fee under Subsection (c) (authorizing TxDMV to collect a fee for processing a payment by electronic funds transfer, credit card, or debit card in an amount not to exceed the amount of the charges incurred by TxDMV to process the payment) or (d) (relating

to the authorization that TxDMV collect a certain fee from a person making a payment by electronic funds transfer, credit card, or debit card through a certain online project implemented) if TxDMV collects a fee under Section 502.1911.

SECTION 17. Amends Subchapter E, Chapter 502, Transportation Code, by adding Section 502.1911, as follows:

Sec. 502.1911. REGISTRATION PROCESSING AND HANDLING FEE. (a) Authorizes TxDMV to collect a fee, in addition to other registration fees for the issuance of a license plate, a set of license plates, or another device used as the registration insignia, to cover the expenses of collecting those registration fees, including a service charge for registration by mail.

(b) Requires the board by rule to set the fee in an amount that:

(1) includes the fee established under Section 502.356(a) (relating to fees for license plates); and

(2) is sufficient to cover the expenses associated with collecting registration fees by TxDMV; a county tax assessor-collector; a private entity with which a county tax assessor-collector contracts under Section 502.197; or a deputy assessor-collector that is deputized in accordance with board rule under Section 520.0071.

(c) Authorizes the county tax assessor-collector, a private entity with which a county tax assessor-collector contracts under Section 502.197, or a deputy assessor-collector to retain a portion of the fee collected under Subsection (b) as provided by board rule. Requires that the remaining amounts collected under this section be deposited to the credit of the TxDMV fund.

SECTION 18. Amends Section 502.192, Transportation Code, to require the portion of each registration transfer fee not retained by the county assessor-collector to be deposited to the credit of the TxDMV fund.

SECTION 19. Amends Sections 502.197(a) and (b), Transportation Code, as follows:

(a) Authorizes a county assessor-collector to retain, rather than to collect, a service charge in the amount determined by the board under Section 502.1911, rather than of \$1, from each applicant registering a vehicle by mail.

(b) Authorizes a private entity to retain an amount determined by the board under Section 502.1911, rather than charge an applicant not more than \$1, for the service provided.

SECTION 20. Amends Sections 502.198(a), (c), and (d), Transportation Code, as follows:

(a) Provides that, except as provided by Sections 502.058, 502.060, 502.1911, 502.192, 502.1982, and 502.357 (Financial Responsibility Programs), this section applies to all fees collected by a county assessor-collector under this chapter.

(c) Requires the county assessor-collector, each Monday after the credits to the county road and bridge fund equal the total computed under Subsection (b), to credit certain amounts and send certain amounts to certain funds, including sending to TxDMV an amount equal to 50 percent of those collections for deposit to the credit of the state highway fund.

(d) Makes a conforming change.

SECTION 21. Amends Section 502.1982, Transportation Code, as follows:

Sec. 502.1982. DISPOSITION OF OPTIONAL COUNTY ROAD AND BRIDGE FEE. Requires that each Monday a county assessor-collector apportion the collections for the preceding week for a fee imposed under Section 502.401 (Optional County Fee for Road and Bridge Fund) by:

- (1) Makes no change to this subdivision; and
- (2) sending to TxDMV for deposit to the credit of the TxDMV fund an amount equal to three percent of the collections to defray TxDMV's costs of administering Section 502.401.

SECTION 22. Amends Section 502.1984(a), Transportation Code, to provide that a fee required to be sent to TxDMV under this chapter bears interest for the benefit of the state highway fund or the TxDMV fund, as applicable, at an annual rate of 10 percent beginning on the 60th day after the date the county assessor-collector collects the fee.

SECTION 23. Amends Section 502.356, Transportation Code, as follows:

Sec. 502.356. AUTOMATED REGISTRATION AND TITLING SYSTEM. (a) Requires a fee of \$1, in addition to other registration fees for a license plate or set of license plates or other device used as the registration insignia, to be collected and is required to be deposited into the TxDMV fund.

- (b) Authorizes TxDMV to use money collected under this section to provide for or enhance the automation of and the necessary infrastructure for on-premises and off-premises registration and permitting, rather than automated on-premises and off-premises registration; services related to the titling of vehicles; and licensing and enforcement procedures.

SECTION 24. Amends Section 502.405(c), Transportation Code, to require three percent of all money collected under this section to be credited to the TxDMV fund and to authorize it to be appropriated only to TxDMV to administer this section.

SECTION 25. Amends Section 503.007(d), Transportation Code, to require that a fee collected under this section be deposited to the credit of the TxDMV fund, rather than to the credit of the state highway fund.

SECTION 26. Amends Section 503.008(d), Transportation Code, to make a conforming change.

SECTION 27. Amends Section 503.012, Transportation Code, to provide that Section 403.095 (Use of Dedicated Revenue), Government Code, does not apply to money received by TxDMV and deposited to the credit of TxDMV fund, rather than to the credit of the state highway fund, in accordance with this chapter.

SECTION 28. Amends Section 503.0615(f), Transportation Code, to make a conforming change.

SECTION 29. Amends Section 503.0618, Transportation Code, by adding Subsection (e), to require that a fee collected under this section be deposited to the credit of the TxDMV fund.

SECTION 30. Amends Section 503.063(g), Transportation Code, to require a dealer, for each buyer's temporary tag, to charge the buyer a registration fee of not more than \$5 as prescribed by TxDMV to be sent to the comptroller of public accounts of the State of Texas (comptroller) for deposit to the credit of the TxDMV fund, rather than to the credit of the state highway fund.

SECTION 31. Amends Section 503.065, Transportation Code, to require that a fee collected under this section be deposited to the credit of the TxDMV fund.

SECTION 32. Amends Section 504.002, Transportation Code, as follows:

Sec. 504.002. GENERAL PROVISIONS. Provides that unless expressly provided by this chapter or by TxDMV rule:

(1) except for license plates specified as exempt, the fee for issuance of a license plate, including replacement plates, is in addition to each other fee that is paid for at the time of the registration of the motor vehicle and is required to be deposited to the credit of the TxDMV, rather than to the credit of the state highway fund; and

(2)-(5) Makes no change to these subdivisions.

SECTION 33. Amends Section 504.007(c), Transportation Code, to require a county assessor-collector to retain \$2.50 of each fee collected under this section and forward the remainder of the fee to TxDMV for deposit to the credit of the TxDMV fund.

SECTION 34. Amends Sections 504.009(b) and (c), Transportation Code, as follows:

(b) Requires that the fee for a single souvenir license plate be deposited to the credit of the TxDMV fund unless the souvenir license plate is a replica of a specialty license plate issued under Subchapter G (Specialty License Plates for General Distribution) or I (Development of New Specialty License Plate) for which the fee is deposited to an account other than the TxDMV fund, in which case a portion of the fee is required to go into a certain designated, and \$10 of the fee to the credit of the TxDMV fund. Makes conforming changes.

(c) Makes conforming changes.

SECTION 35. Amends Section 504.647(b), Transportation Code, to make a conforming change.

SECTION 36. Amends Section 504.801(e), Transportation Code, to make a conforming change.

SECTION 37. Amends Section 504.851(j), Transportation Code, to make a conforming change.

SECTION 38. Amends Section 520.001, Transportation Code, as follows:

Sec. 520.001. New heading: DEFINITIONS. Defines "board" and "department" in this chapter.

SECTION 39. Amends Section 520.005(c), Transportation Code, as follows:

(c) Authorizes the assessor-collector to license franchised and non-franchised motor vehicle dealers to title and register motor vehicles in accordance with rules adopted under Section 520.004. Deletes existing text authorizing the assessor-collector, notwithstanding the requirements of Sections 520.008 and 520.0091, to license certain franchised and non-franchised motor vehicle dealers.

SECTION 40. Amends Section 520.006(a), Transportation Code, to require a county assessor-collector to retain an amount determined by the board under Section 502.1911, rather than receive a fee of \$1.90, for each receipt issued under Chapter 502 (Registration of Vehicles).

SECTION 41. Amends Subchapter A, Chapter 520, Transportation Code, by adding Section 520.0071, as follows:

Sec. 520.0071. DEPUTIES. (a) Requires the board by rule to prescribe the classification types of deputies performing titling and registration duties, the duties and obligations of deputies, and the type and amount of any bonds that are authorized to be required by a county assessor-collector for a deputy to perform titling and registration duties.

(b) Authorizes a county assessor-collector, with the approval of the commissioners court of the county, to deputize an individual or business entity to perform titling and registration services in accordance with rules adopted under Subsection (a).

SECTION 42. Amends Section 520.0093(e), Transportation Code, to require that all money collected under the lease be deposited to the credit of the TxDMV fund, rather than to the credit of the state highway fund.

SECTION 43. Amends Section 520.016(c), Transportation Code, to provide that this section does not apply to a violation of Section 520.006 or a rule adopted under Section 520.0071, rather than providing that this section does not apply to Section 520.006, 520.008, 520.009 (Limited Service Deputies), 520.0091, or 520.0092 (Acts by Deputy County Assessor-Collector).

SECTION 44. Amends Sections 621.351(a) and (c), Transportation Code, as follows:

(a) Authorizes TxDMV to establish one or more escrow accounts in the TxDMV fund, rather than in the state highway fund, for the prepayment of a fee for a permit issued by TxDMV that authorizes the operation of a vehicle and its load or a combination of vehicles and load exceeding size or weight limitations.

(c) Requires TxDMV to deposit each fee established under this section to the credit of the TxDMV fund, rather than to the credit of the state highway fund.

SECTION 45. Amends Section 621.352(a), Transportation Code, as follows:

(a) Authorizes the board by rule to establish fees for the administration of Section 621.003 (Reciprocal Agreement with Another State for Issuance of Permits) in an amount that, when added to the other fees collected by TxDMV, does not exceed the amount sufficient to recover the actual cost to TxDMV of administering that section. Requires that an administrative fee collected under this section be sent to the comptroller for deposit to the credit of the TxDMV fund, rather than to the state highway fund, and is authorized to be appropriated only to TxDMV for the administration of Section 621.003.

SECTION 46. Amends Section 621.353(a), Transportation Code, to make a conforming change.

SECTION 47. Amends Section 621.354, Transportation Code, to require TxDMV, of each fee collected under Section 623.017 (Permit for Movement of Cylindrical Hay Bales), to deposit 90 percent, rather than each fee collected under Section 623.017, in the state treasury to the credit of the state highway fund; and 10 percent in the state treasury to the credit of the TxDMV fund.

SECTION 48. Amends Section 623.0111(c), Transportation Code, to require that of the fees collected under Subsection (a) (relating to certain provisions an applicant is required to complete when applying for a certain permit), certain amounts as set forth be deposited to the general revenue fund, 90 percent of the remainder be deposited to the credit of the state highway fund, and 10 percent of the remainder be deposited to the credit of the TxDMV fund.

SECTION 49. Amends Sections 623.014(c) and (d), Transportation Code, as follows:

(c) Requires TxDMV to issue the prorated credit if the person provides TxDMV with certain fees and documentation, including paying the fee adopted by the board, rather than TxDMV.

(d) Prohibits the fee adopted by the board, rather than TxDMV, under Subsection (c)(1) (relating to paying a fee adopted by the board) from exceeding the cost of issuing the credit. Requires that a fee collected by TxDMV under Subsection (c)(1) be deposited to the credit of the TxDMV fund.

SECTION 50. Amends Sections 623.0711(g) and (h), Transportation Code, as follows:

(g) Requires that an application for a permit under this section be accompanied by the permit fee established by TxDMV, in consultation with the Texas Transportation Commission (TTC), for the permit, not to exceed \$9,000. Requires TxDMV to send each fee to the comptroller, who is required to deposit 90 percent of the fee to the credit of the state highway fund, and 10 percent of the fee to the credit of the TxDMV fund. Makes nonsubstantive changes.

(h) Requires TTC rules, in addition to the fee established under Subsection (g), to authorize TxDMV to collect a consolidated permit payment for a permit under this section in an amount not to exceed 15 percent of the fee established under Subsection (g), of which 90 percent is required to be deposited to the credit of the state highway fund, and 10 percent is required to be deposited to the credit of the TxDMV fund.

SECTION 51. Amends Section 623.076, Transportation Code, by amending Subsections (a-1) and (c) and adding Subsection (b-1), as follows:

(a-1) Requires certain amounts collected under Subsection (a) to be deposited to the general revenue fund, 90 percent of the remainder to be deposited to the credit of the state highway fund, and 10 percent of the remainder to be deposited to the credit of the TxDMV fund. Sets forth certain criteria for fees and amounts to be allocated to the general revenue fund.

(b-1) Requires TxDMV to deposit a fee collected under Subsection (b)(3), (relating to the authorization of the board to adopt rules that are authorized to require the payment of a discount or service charge for a credit card payment in addition to a certain fee) to the credit of the TxDMV fund.

(c) Requires TxDMV, of each fee collected under this subsection, to send any amount in excess of \$1,000 to the comptroller, who is required to deposit 90 percent of the excess to the credit of the state highway fund and 10 percent of the excess to the credit of the TxDMV fund. Makes nonsubstantive changes.

SECTION 52. Amends Section 623.077(b), Transportation Code, to require TxDMV to send each fee collected under Subsection (a) to the comptroller, who is required to deposit 90 percent of the fee to the credit of the state highway fund, and 10 percent of the fee to the credit of the TxDMV fund.

SECTION 53. Amends Sections 623.096(a) and (c), Transportation Code, as follows:

(a) Requires \$19.70 of each fee to be deposited to the credit of the general revenue fund and, of the remainder, requires that 90 percent be deposited to the credit of the state highway fund, and 10 percent be deposited to the credit of the TxDMV fund.

(c) Authorizes TxDMV to establish an escrow account within the TxDMV fund for the payment of permit fees.

SECTION 54. Amends Section 623.124(b), Transportation Code, as follows:

(b) Requires the comptroller, of each fee received from TxDMV, to deposit:

(1) \$7.50 to the credit of the general revenue fund; and

(2) of the remainder, 90 percent, rather than \$7.50, to the credit of the state highway fund, and 10 percent to the credit of the TxDMV fund.

Makes nonsubstantive changes.

SECTION 55. Amends Section 623.147, Transportation Code, as follows:

Sec. 623.147. New heading: DEPOSIT OF FEE IN STATE HIGHWAY FUND AND IN TEXAS DEPARTMENT OF MOTOR VEHICLES FUND. Requires a fee collected under this subchapter to be deposited as follows:

- (1) 90 percent to the credit of the state highway fund; and
- (2) 10 percent to the credit of the TxDMV fund.

SECTION 56. Amends Section 623.182(b), Transportation Code, as follows:

(b) Requires the comptroller, of each fee received from the department, to deposit \$50 to the credit of the general revenue fund and of the remainder TxDMV is required to deposit:

- (1) 90 percent, rather than \$50, to the credit of the state highway fund; and
- (2) 10 percent to the credit of the TxDMV fund.

SECTION 57. Amends Section 623.197, Transportation Code, as follows:

Sec. 623.197. New heading: DEPOSIT OF FEE IN STATE HIGHWAY FUND AND IN TEXAS DEPARTMENT OF MOTOR VEHICLES FUND. Requires a fee collected under this subchapter to be deposited as follows:

- (1) 90 percent to the credit of the state highway fund; and
- (2) 10 percent to the credit of the TxDMV fund.

SECTION 58. Amends Section 623.273, Transportation Code, by adding Subsection (e), to require that money collected by TxDMV under Subsection (d) (relating to the authorization of the attorney general and TxDMV to recover reasonable expenses incurred in obtaining injunctive relief) be deposited to the credit of the TxDMV fund.

SECTION 59. Amends Section 643.004(b), Transportation Code, as follows:

(b) Authorizes TxDMV to establish one or more escrow accounts in the TxDMV fund, rather than in the state highway fund, for the prepayment of a fee under this chapter. Requires that prepaid fees and any fees established by TxDMV for the administration of this section be:

- (1) administered under an agreement approved by TxDMV; and
- (2) deposited to the credit of the TxDMV fund, rather than to the credit of the state highway fund, to be appropriated only to TxDMV for the purposes of administering this chapter.

Makes a conforming change.

SECTION 60. Amends Section 645.002(c), Transportation Code, to make conforming changes.

SECTION 61. Amends Section 646.001, Transportation Code, to define "department" and redefine "motor transportation broker."

SECTION 62. Amends Sections 646.003(a) and (c), Transportation Code, as follows:

- (a) Makes a conforming change.
- (c) Requires TxDMV to deposit a fee collected under this subsection to the credit of the TxDMV fund.

SECTION 63. Amends Section 681.005, Transportation Code, to require each county assessor-collector to send to TxDMV each fee collected under Section 681.003 (Parking Placard Application), to be deposited in the TxDMV fund, rather than to be deposited in the state highway fund, to defray the cost of providing the disabled parking placard.

SECTION 64. Amends Section 683.052(d), Transportation Code, to make a conforming change.

SECTION 65. Amends Section 1001.007(b), Transportation Code, to require money collected by TxDMV under this section to be deposited to the credit of the TxDMV fund, rather than to the credit of the state highway fund, for use by TxDMV in supporting TxDMV's operations and the administration of TxDMV's functions.

SECTION 66. Amends Section 1001.009(d), Transportation Code, to make a conforming change.

SECTION 67. Amends Chapter 1001, Transportation Code, by adding Subchapter E, as follows:

SUBCHAPTER E. TEXAS DEPARTMENT OF MOTOR VEHICLES FUND

Sec. 1001.151. TEXAS DEPARTMENT OF MOTOR VEHICLES FUND. (a) Provides that the TxDMV fund is a special fund in the treasury outside the general revenue fund and the state highway fund.

(b) Provides that the fund, except as provided by Subsection (c), and unless otherwise dedicated by the Texas Constitution, consists of money appropriated by the legislature to TxDMV; money allocated to pay fund accounting costs and related liabilities of the fund; gifts, grants, and donations received by TxDMV; money required by law to be deposited to the fund; interest earned on money in the fund; and other revenue received by TxDMV.

(c) Prohibits money appropriated to TxDMV for Automobile Burglary and Theft Prevention Authority purposes and other revenue collected or received by the Automobile Burglary and Theft Prevention Authority from being deposited into the fund.

Sec. 1001.152. USE OF MONEY IN FUND. Authorizes money that is required to be deposited in the state treasury to the credit of the TxDMV fund to be used by TxDMV only to support TxDMV's operations and the administration and enforcement of TxDMV's functions; or to pay the accounting costs and related liabilities for the fund, including fringe benefits, workers' compensation, and unemployment compensation.

Sec. 1001.153. APPLICABILITY OF OTHER LAW. Provides that Subchapter D (Appropriation of Unobligated Fund Balances to General Revenue Fund), Chapter 316 (Appropriations), Government Code, and Section 403.095, Government Code, do not apply to the fund created under Section 1001.151.

SECTION 68. Repealers: Sections 520.008 (Full-Service Deputies), 520.009 (Limited Service Deputies), 520.0091 (Deputy Assessor-Collectors), and 520.0092 (Acts by Deputy County Assessor-Collector), Transportation Code.

SECTION 69. (a) Requires that existing revenue from fees collected or received by TxDMV and any other revenue dedicated to TxDMV, on September 1, 2013, be transferred to and deposited in the fund established under Section 1001.151, Transportation Code, as added by this Act.

(b) Provides that money deposited to the credit of the TxDMV fund that is, on September 1, 2013, being used as collateral or a source of payment for the repayment of any loans, bonds, credit agreements, public securities, or other obligations remains subject to being used as collateral or a source of payment for those obligations. Requires that an obligation described by this subsection first be paid from the state highway fund.

Provides that the TxDMV fund is subject to the obligation only to the extent the state highway fund is depleted at the time the obligation matures and becomes due.

(c) Authorizes a deputy appointed under Section 520.0091, Transportation Code, on or before August 31, 2013, to continue to perform the services authorized under Sections 520.008, 520.009, 520.0091, and 520.0092, Transportation Code, until the board adopts rules regarding the types of deputies authorized to perform titling and registration duties under Section 520.0071, Transportation Code, as added by this Act.

SECTION 70. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2013.

(b) Effective date, Sections 502.197(a) and (b) and 520.006, Transportation Code, as amended by this Act: the date the board adopts the registration processing and handling fee under Section 502.1911, Transportation Code, as added by this Act.