

BILL ANALYSIS

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S.B. 1504
By: Garcia
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Motor Vehicles regulates salvage vehicle dealers, salvage pool operators, and salvage vehicle rebuilders. Some of the current statutes related to these licenses are confusing and out of date. In order to address these issues, S.B. 1504 does three main things: (1) clarifies activities salvage vehicle related license holders may engage in; (2) streamlines licensing processes with a view toward automation; and (3) corrects and consolidates various definitions in the Occupations Code related to salvage vehicles.

As proposed, S.B. 1504 amends current law relating to the regulation of salvage vehicle dealers, salvage pool operators, and salvage vehicle rebuilders, and expands the applicability of an occupational license.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of the Texas Department of Motor Vehicles in SECTION 17 (Section 2302.151, Occupations Code) of this bill.

Rulemaking authority previously granted to the board of the Texas Department of Motor Vehicles is modified in SECTION 23 (Section 2302.204, Occupations Code) of this bill.

Rulemaking authority previously granted to the Texas Department of Motor Vehicles is modified in SECTION 37 (Section 501.099, Transportation Code) and SECTION 38 (Section 501.1003, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 375.001(11), Health and Safety Code, to redefine "vehicle recycler."

SECTION 2. Amends the heading to Chapter 2302, Occupations Code, to read as follows:

CHAPTER 2302. SALVAGE VEHICLE DEALERS, SALVAGE POOL OPERATORS, AND SALVAGE VEHICLE REBUILDERS

SECTION 3. Amends Section 2302.001, Occupations Code, by amending Subdivision (1) and adding Subdivisions (4-a), (4-b), (4-c), (7), (8), and (9), as follows:

(1) Deletes existing text providing that "metal recycler," "motor vehicle," and "salvage vehicle dealer" have the meanings assigned by Section 501.091, Transportation Code.

(4-a) Defines "license holder."

(4-b) Defines "metal recycler."

(4-c) Defines "motor vehicle."

(7) Defines "salvage vehicle dealer."

(8) Defines "salvage vehicle rebuilder."

(9) Defines "used parts dealer" and "used automotive parts recycler."

SECTION 4. Amends Sections 2302.0015(b) and (c), Occupations Code, as follows:

(b) Authorizes a member of the board of the Texas Department of Motor Vehicles (board), an employee or agent of the board or the Texas Department of Motor Vehicles (TxDMV), a member of the Public Safety Commission, an officer of the Department of Public Safety of the State of Texas (DPS), or a peace officer to at a reasonable time inspect the inventory on the premises of a license holder for the purpose of enforcing or administering this chapter, Chapter 501 (Certificate of Title Act) or 502 (Registration of Vehicles), Transportation, or board rules.

(c) Requires a person described by Subsection (a) or an employee of a person described by Subsection (a) to, on demand, give to a person conducting an inspection under this section a copy of a record required to be maintained under this chapter, Chapter 501 or 502, Transportation Code, or board rule, including an inventory record or bill of sale.

SECTION 5. Amends Section 2302.005, Occupations Code, as follows:

Sec. 2302.005. New heading: **APPLICABILITY OF CERTAIN STATUTES, RULES, MUNICIPAL ORDINANCES, AND COUNTY ORDERS**. Requires a person who deals in nonrepairable motor vehicles or salvage motor vehicles, including a salvage vehicle dealer, salvage pool operator, salvage vehicle rebuilder, or salvage vehicle agent, to comply with:

- (1) this chapter;
- (2) Chapters 501, 502, and, if applicable, 503 (Dealer's and Manufacturer's Vehicle License Plates), Transportation Code;
- (3) board rules;
- (4) all applicable county orders; and
- (5) all applicable municipal ordinances.

Deletes existing text providing that this chapter is in addition to any municipal ordinance relating to the regulation of a person who deals in nonrepairable or salvage motor vehicles or used parts and does not prohibit the enforcement of a requirement of a municipal license or permit that is related to an activity regulated under this chapter.

SECTION 6. Amends Subchapter B, Chapter 2302, Occupations Code, by adding Section 2302.0521, as follows:

Sec. 2302.0521. **DEPOSIT OF REVENUE**. Requires all money collected by the board under this chapter to be deposited in the state treasury to the credit of TxDMV, notwithstanding any other law.

SECTION 7. Amends Section 2302.101, Occupations Code, as follows:

Sec. 2302.101. New heading: **LICENSE REQUIRED**. Prohibits the person from acting as a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilder, or storing or displaying a motor vehicle as an agent or escrow agent of an insurance company unless a person holds a license issued under this chapter. Makes a nonsubstantive change.

SECTION 8. Amends Section 2302.102, Occupations Code, as follows:

Sec. 2302.102. New heading: LICENSE TYPES. (a) Authorizes TxDMV to issue one or more of the following licenses to a person according to the type of activity performed by the person:

- (1) salvage vehicle dealer license;
- (2) salvage pool operator license; or
- (3) salvage vehicle rebuilder license.

Deletes existing text requiring TxDMV to classify a salvage vehicle dealer according to the type of activity performed by the dealer.

(b) Prohibits a person from engaging in activities as a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilder unless the person holds a license issued by TxDMV authorizing that activity.

Deletes existing text prohibiting a salvage vehicle dealer from engaging in activities of a particular classification unless the dealer holds a license with an endorsement in that classification.

(c) Requires a person who engages in business as a salvage vehicle rebuilder and holds a salvage vehicle rebuilder license to also hold the appropriate general distinguishing number issued under Chapter 503, Transportation Code, unless the salvage vehicle rebuilder only repairs, rebuilds, or reconstructs salvage motor vehicles owned by another person.

SECTION 9. Amends Section 2302.103(a), Occupations Code, to require a person to submit to TxDMV an application on a form prescribed by TxDMV and the application fee to apply for a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilder license.

SECTION 10. Amends Section 2302.104, Occupations Code, as follows:

Sec. 2302.104. CONTENTS OF APPLICATION. (a) Requires that an application for a license include:

- (1) the name, business address, e-mail address, and business telephone number of the applicant;
- (2) each name under which the applicant proposes to conduct business;
- (3) the location, by number, street, county, and municipality, where the applicant proposes to conduct business;
- (4) Makes no change to this subdivision;
- (5) an acknowledgment that the applicant is familiar with and in compliance with municipal ordinances, county orders, and state laws governing the activities covered by the license for which the applicant is applying at the location specified in the application;
- (6) the applicant's social security number and federal tax identification number, if any;
- (7) and (8) Makes no changes to these subdivisions.

Deletes existing text requiring that an application for a salvage vehicle dealer license include the location, by number, street, and municipality, of each office at which the applicant proposes to conduct business, and a statement of the previous history, record, and associations of the applicant

to the extent sufficient to establish, to the satisfaction of TxDMV, the business reputation and character of the applicant.

(b) Requires an application of a corporation, in addition to the information required by Subsection (a), to include:

(1) and (2) Makes no change to these subdivisions; and

(3) a statement showing whether an officer, director, or employee of the applicant has been refused a license under this chapter or a similar license issued by another jurisdiction, rather than refused a license as a salvage vehicle dealer, or has been the holder of a license issued under this chapter or a similar license issued by another jurisdiction that was revoked or suspended.

Deletes existing text requiring the application of a corporation to include a statement of the previous history, record, and associations of each officer and each director to the extent sufficient to establish, to the satisfaction of TxDMV, the business reputation and character of the applicant.

(c) Requires that the application of a partnership, in addition to the information required by Subsection (a), include:

(1) Makes no change to this subdivision; and

(2) a statement showing whether an owner, partner, or employee of the applicant has been refused a license under this chapter or a similar license issued by another jurisdiction, rather than refused a license as a salvage vehicle dealer, or has been the holder of a license issued under this chapter or a similar license issued by another jurisdiction that was revoked or suspended.

Deletes existing text requiring that the application of a partnership, in addition to the information required by Subsection (a), include a statement of the previous history, record, and associations of each owner and each partner to the extent sufficient to establish, to the satisfaction of TxDMV, the business reputation and character of the applicant.

SECTION 11. Amends the heading to Section 2302.105, Occupations Code, to read as follows:

Sec. 2302.105. REVIEW OF APPLICATION.

SECTION 12. Amends Section 2302.105(a), Occupations Code, to require TxDMV to review an application for the issuance or renewal of or an amendment to a license issued under this chapter and to authorize TxDMV to investigate the applicant to determine compliance with this chapter, board rules, and if applicable, Chapter 503, Transportation Code.

Deletes existing text prohibiting TxDMV from issuing a license under this chapter until TxDMV completes an investigation of the applicant's qualifications.

SECTION 13. Amends Section 2302.106(a), Occupations Code, to require TxDMV to issue a license to an applicant who meets the license qualifications adopted under this chapter and pays the required fee, rather than fees.

SECTION 14. Amends Sections 2302.107(b), (c), and (d), Occupations Code, as follows:

(b) and (c) Changes references to the dealer's license to the salvage vehicle dealer's license.

(d) Changes reference to the authorizing dealer to the authorizing salvage vehicle dealer.

SECTION 15. Amends Section 2302.108, Occupations Code, by adding Subsection (e) to authorize the board to take disciplinary action against a salvage vehicle dealer for an act or omission of a salvage vehicle agent that was authorized by the salvage vehicle dealer or a person acting as a representative of the salvage vehicle dealer and that is grounds for a denial, revocation, or suspension of a salvage vehicle dealer's license.

SECTION 16. Amends the heading to Subchapter D, Chapter 2302, Occupations Code, to read as follows:

SUBCHAPTER D. LICENSE TERM, EXPIRATION, AND RENEWAL.

SECTION 17. Amends Section 2302.151, Occupations Code, as follows:

Sec. 2302.151. New heading: LICENSE TERM AND EXPIRATION. (a) Provides that a license issued under this chapter is valid for the period prescribed by the board.

Deletes existing text providing that a license issued under this chapter expires on the first anniversary of the date of issuance.

(b) Authorizes TxDMV to issue a license for a term of less than the period prescribed under Subsection (a) to coordinate expiration dates of licenses held by a person.

(c) Authorizes the board by rule to implement a system under which licenses expire on various dates during the year. Requires the fee for the license, for a year in which a license expiration date is changed, to be prorated so that the license holder pays only that portion of the fee that is allocable to the number of months during which the license is valid. Provides that, on renewal of the license on the new expiration date, the entire license renewal fee is payable.

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

(e) Creates this subsection from existing text and makes no further change.

SECTION 18. Amends Section 2302.152, Occupations Code, to require TxDMV to send notice, rather than written notice, of the impending expiration to the person at the person's last known address according to TxDMV records not later than the 31st day before the expiration date of a person's license.

SECTION 19. Amends Sections 2302.153(a) and (d), Occupations Code, as follows:

(a) Authorizes a person who is otherwise eligible to renew a license issued under this chapter to renew an unexpired license by submitting a completed renewal application and paying the required renewal fee to TxDMV on or before the expiration date of the license.

(d) Prohibits a person whose license has been expired for more than 90 days, rather than one year or longer, from renewing the license. Authorizes the person to obtain a new license by complying with the requirements and procedures for obtaining an original license.

SECTION 20. Amends Section 2302.201, Occupations Code, as follows:

Sec. 2302.201. New heading: DUTIES ON ACQUISITION OF NONREPAIRABLE OR SALVAGE MOTOR VEHICLE. (a) Requires a license holder, rather than a salvage vehicle dealer, who acquires ownership of a nonrepairable or salvage motor vehicle from

an owner to receive from the owner the motor vehicle's title, properly assigned to the license holder, rather than receive a properly assigned title.

(b) Requires the license holder, rather than the dealer, to comply with Subchapter E (Nonrepairable and Salvage Motor Vehicles), Chapter 501, Transportation Code, and board rules.

SECTION 21. Amends Section 2302.202, Occupations Code, to require a license holder, rather than a salvage vehicle dealer, to maintain a record of each nonrepairable or salvage motor vehicle purchased or sold by the license holder, rather than each salvage motor vehicle purchased or sold by the dealer.

SECTION 22. Amends Section 2302.203, Occupations Code, to require a license holder to apply to TxDMV to amend the license to reflect the new location before moving a place of business or opening an additional place of business. Prohibits a license holder from engaging in a licensed activity from a new location until the license is amended by TxDMV to reflect the new location.

Deletes existing text requiring a salvage vehicle dealer to register the new location with TxDMV.

SECTION 23. Amends Section 2302.204, Occupations Code, as follows:

Sec. 2302.204. CASUAL SALES. Provides that this chapter does not apply to a person who purchases not more, rather than fewer, than five nonrepairable motor vehicles or salvage motor vehicles during a calendar year from a license holder or an insurance company, rather than from a salvage vehicle dealer, an insurance company, or salvage pool operator, in a casual sale at auction, except that:

(1) the board is required to adopt rules as necessary to regulate casual sales by license holders or insurance companies, rather than by salvage vehicle dealers, insurance companies, or salvage pool operators, and to enforce this section; and

(2) a license holder or insurance company, rather than a salvage vehicle dealer, insurance company, or salvage pool operator, who sells a motor vehicle in a casual sale is required to comply with those rules and Subchapter E, Chapter 501, Transportation Code.

SECTION 24. Amends the heading to Subchapter F, Chapter 2302, Occupations Code, to read as follows:

SUBCHAPTER F. ADDITIONAL DUTIES OF LICENSE HOLDER IN
CONNECTION WITH MOTOR VEHICLE COMPONENT PARTS

SECTION 25. Amends 2302.252, Occupations Code, as follows:

Sec. 2302.252. REMOVAL OF LICENSE PLATES; INVENTORY. (a) Requires a license holder, immediately on receipt of a motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle, to remove any license plates and place the license plates in a secure, locked place.

Deletes existing text requiring a salvage vehicle dealer, immediately on receipt of a motor vehicle, to remove any unexpired license plates from the vehicle and place the license plates in a secure, locked place.

(b) Requires a license holder, rather than salvage vehicle dealer, to maintain on a form provided by TxDMV an inventory of license plates, rather than unexpired license plates, removed under Subsection (a). Requires that the inventory include :

(1) each license plate number;

(2) the make of the motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle from which the license plate was removed;

(3) the motor number of the motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle; and

(4) the vehicle identification number of the motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle.

Makes a nonsubstantive change.

SECTION 26. Amends Section 2302.254, Occupations Code, as follows:

Sec. 2302.254. RECORD OF PURCHASE; INVENTORY OF PARTS. (a) Requires a license holder, rather than a salvage vehicle dealer, to keep an accurate and legible inventory of each used component part purchased by or delivered to the license holder, rather than the dealer. Requires that the inventory contain a record of each part that includes:

(1) Makes no change to this subdivision;

(2) the name and address of the seller, rather than the name, age, address, sex, and driver's license number of the seller, and a legible photocopy of the seller's current photo identification containing a unique identification number and expiration date, rather than the seller's driver's license;

(3) and (4) Makes no change to these subdivisions;

(5) the vehicle identification number of the motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle from which the part was removed.

(a-1) Requires that the identification document required by Subsection (a) be a:

(1) driver's license or identification card issued by this state, or another state of the United States;

(2) United States or foreign passport;

(3) United States military identification card;

(4) North Atlantic Treaty Organization identification document or identification document issued under a status of forces agreement; or

(5) United States Department of Homeland Security, United States Citizenship and Immigration Services, or United States Department of State identification document.

(b) Requires a license holder, rather than a salvage vehicle dealer, to record the name of the person who sold the part or the motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle from which the part was obtained, and the Texas certificate of inventory number or the federal taxpayer identification number of that person, instead of the information required by Subsection (a).

(c) Requires TxDMV to prescribe the form of the record required under Subsection (a) and to make the form available to license holders, rather than to salvage vehicle dealers.

(d) Provides that this section does not apply to an interior component part or special accessory part that is from a motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle more than 10 years of age.

Deletes existing text providing that this section does not apply to a part delivered to a salvage vehicle dealer by a commercial freight line or commercial carrier.

SECTION 27. Amends Sections 2302.255(a), (b), (c), and (e), Occupations Code, to change references to salvage vehicle dealer to license holder, and to change references to dealer to license holder.

SECTION 28. Amends Section 2302.256, Occupations Code, to make conforming changes.

SECTION 29. Amends Section 2302.257(a), Occupations Code, as follows:

(a) Requires a license holder, on demand, to surrender to TxDMV a certificate of title or authority, a sales receipt or transfer document, a license plate, an inventory list, or any record or document the license holder is required to possess or maintain.

Deletes existing text requiring a salvage vehicle dealer, on demand, to surrender to TxDMV for cancellation a certificate of title or authority, sales receipt or transfer document, license plate, or inventory list that the dealer is required to possess or maintain.

SECTION 30. Amends Sections 2302.351(b) and (c), Occupations Code, as follows:

(b) Change a reference to salvage vehicle dealer to license holder, and change references to dealer to license holder.

(c) Requires an action under Subsection (b) to be brought in the name of the state. Requires the court, if judgment is in favor of the state, to:

(1) enjoin the license holder, rather than dealer, from maintaining or participating in the business of a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilding for a definite period of at least one year or indefinitely, as determined by the court; and

(2) order that the license holder's, rather than dealer's, place of business be closed for the same period.

SECTION 31. Amends Section 2302.354, Occupations Code, by adding Subsection (e) to require that an administrative penalty recovered under this chapter be deposited in the state treasury to the credit of TxDMV, notwithstanding any other law.

SECTION 32. Amends Section 2309.002, Occupations Code, by amending Subdivision (1) to redefine "insurance company," "nonrepairable motor vehicle," "nonrepairable vehicle title," "salvage motor vehicle," and "salvage vehicle title," rather than "metal recycler," "motor vehicle," and "salvage vehicle dealer," and by adding Subdivision (8) to define "metal recycler," "motor vehicle," and "salvage vehicle dealer."

SECTION 33. Amends Section 2309.004, Occupations Code, as follows:

Sec. 2309.004. New heading: APPLICABILITY OF CHAPTER TO PERSONS LICENSED UNDER CHAPTER 2302. (a) Provides that, except as provided by Subsection (b), this chapter does not apply to a transaction in which a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilder is a party.

(b) Provides that this chapter applies to a salvage vehicle dealer, salvage pool operator, or salvage vehicle rebuilder who deals in used automotive parts as more than an incidental part of that person's primary business, rather than more than an incidental part of the salvage vehicle dealer's primary business.

SECTION 34. Amends the heading to Section 391.127, Transportation Code, to read as follows:

Sec. 391.127. PERSONS LICENSED UNDER CHAPTER 2302, OCCUPATIONS CODE.

SECTION 35. Amends Sections 501.091(2), (7), (11), (14), and (17), Transportation Code, to redefine "casual sale," "metal recycler," "out-of-state buyer," "rebuilder," and "salvage vehicle dealer."

SECTION 36. Amends Sections 501.095(a) and (b), Transportation Code, as follows:

(a) Changes a reference to a licensed salvage vehicle dealer to a license holder under Chapter 2302 (Salvage Vehicle Dealers), Occupations Code.

(b) Requires a person, other than a salvage vehicle dealer, salvage pool operator, salvage vehicle rebuilder, used automotive parts recycler, or insurance company licensed to do business in this state, who acquired ownership of a nonrepairable or salvage motor vehicle that has not been issued a nonrepairable vehicle title, nonrepairable record of title, salvage vehicle title, salvage record of title, or a comparable ownership document issued by another state or jurisdiction to, before selling the motor vehicle, surrender the properly assigned title for the motor vehicle to TxDMV and apply to TxDMV for the appropriate ownership document.

SECTION 37. Amends Sections 501.099(b), (c), (d), (e), and (g), Transportation Code, as follows:

(b) Changes a reference to a licensed salvage vehicle dealer to a license holder under Chapter 2302, Occupations Code.

(c) Makes a conforming change.

(d) Changes a reference to each holder of a salvage vehicle dealer license to each license holder under Chapter 2302, Occupations Code.

(e) Requires a license holder under Chapter 2302, Occupations Code, rather than a salvage vehicle dealer, or a governmental entity that sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States to stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the license holder's, rather than the dealer's salvage vehicle, license or the name of the governmental entity, as applicable.

(g) Requires a license holder under Chapter 2302, Occupations Code, rather than a salvage vehicle dealer, or a governmental entity who sells a nonrepairable motor vehicle or a salvage motor vehicle under this section to a person who is not a resident of the United States to keep on the business premises of the license holder, rather than the dealer, or entity until the third anniversary of the date of the sale:

(1) Makes no change to this subdivision; and

(2) a list of all vehicles sold under this section that contains:

(A) the date of the sale;

(B) the name of the purchaser;

(C) a photo copy of the identification document provided by the purchaser, rather than the name of the country that issued the identification document provided by the purchaser, as shown on the document; and

(D) the vehicle identification number.

SECTION 38. Amends Section 501.1003, Transportation Code, as follows:

Sec. 501.1003. New headings: RESPONSIBILITIES OF CERTAIN LICENSE HOLDERS. (a) Requires the license holder, if a license holder under Chapter 2302, Occupations Code, rather than if a salvage vehicle dealer, acquires ownership of a nonrepairable motor vehicle or salvage motor vehicle for the purpose of dismantling, scrapping, or destroying the motor vehicle, to, before the 31st day after the date the license holder, rather than dealer, acquires the motor vehicle, submit to TxDMV a report stating that the motor vehicle will be dismantled, scrapped, or destroyed. Requires the license holder, rather than the dealer, to make the report in a manner prescribed by TxDMV, and submit with that report a properly assigned manufacturer's certificate of origin, regular certificate of title, nonrepairable vehicle title, salvage vehicle title, or comparable out-of-state ownership document for the motor vehicle.

(b) Changes a reference to the salvage vehicle dealer to the license holder under Chapter 2302, Occupations Code.

(c) Changes a reference to the salvage dealer to the license holder under Chapter 2302, Occupations Code.

SECTION 39. Amends Section 501.108, Transportation Code, as follows:

Sec. 501.108. RECORD RETENTION. (a) Requires each license holder under Chapter 2302, Occupations Code, used automotive parts recycler, or insurance company that sells a nonrepairable motor vehicle or a salvage motor vehicle at a casual sale to keep on the business premises of the license holder, recycler, or insurance company a list of all casual sales made during the preceding 36-month period that contains the date of the sale, the name of the purchaser, a photocopy of the identification document provided by the purchaser, and the vehicle identification number.

Deletes existing text requiring each licensed salvage vehicle dealer, to keep on the business premises of the dealer or the insurance company a list of all casual sales made during the preceding 36-month period that contains certain information, including the name of the jurisdiction that issued the identification document provided by the purchaser, as shown on the document.

(b) Requires a license holder under Chapter 2302, Occupations Code, or used automotive parts recycler to keep on the business premises of the license holder or recycler, until the third anniversary of the date the report on the motor vehicle is submitted to TxDMV, a record of the vehicle, its ownership, and its condition as dismantled, scrapped, or destroyed as required by Section 501.1003 (Salvage Dealer Responsibilities).

SECTION 40. Repealer: Section 2302.103(b) (authorizing an applicant to apply for a salvage vehicle dealer license with an endorsement in one or more classifications), Occupations Code.

Repealer: Section 2302.153(c) (relating to a license renewal for a person whose license has been expired for more than 90 days but less than one year), Occupations Code.

Repealer: Section 2302.153(e) (relating to a license renewal for a person who was licensed in this state, moved to another state, and has been doing business in the other state for the two years preceding the date of application), Occupations Code.

Repealer: 2302.258 (Inspection of Records), Occupations Code.

Repealer: Section 2302.302 (Limits on Operation of Heavy Machinery), Occupations Code.

SECTION 41. Makes application of Section 2302.104, Occupations Code, as amended by this Act, prospective, regarding an application for a license.

SECTION 42. Makes application of Section 2302.108(e), Occupations Code, as amended by this Act, prospective to January 1, 2016, regarding authorized conduct by a salvage vehicle agent.

SECTION 43. Requires TxDMV to adopt any rules necessary to implement the changes in law made by this Act and to begin accepting applications for and issuing salvage pool operator and salvage vehicle rebuilder licenses not later than November 1, 2015.

SECTION 44. (a) Effective date, except as otherwise provided by this section: January 1, 2016.

(b) Effective date, Sections 41 and 43: September 1, 2015.

(c) Effective date, Sections 2302.102(a), 2302.103(a), 2302.104, and 2302.105(a) and the heading to Section 2302.105, Occupations Code: September 1, 2015.