

BILL ANALYSIS

Senate Research Center
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S.B. 2137
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The current law passed in the 81st legislative session authorizes an auto theft unit of a county or municipal law enforcement agency to impose a \$40 administrative fee and requires the payment to be credited to the county general fund. Unfortunately, the county auditor in Hidalgo is interpreting the fee incorrectly, because the Transportation Code under Section 501.033 only states this can be done when an invalid vehicle identification number and an assigned or reassigned number is needed. As a result, the county auditor is preventing the tax assessor-collector from charging the \$40 fee. The fees collected are used to defray the agency's cost associated with the inspection.

S.B. 2137 addresses these concerns by adding Section 501.0291 to Subchapter B, Chapter 501, Transportation Code. The section adds language which would allow the tax assessor-collector to collect the \$40 fee and credit the fee to the general fund to defray the agency's cost.

As proposed, S.B. 2137 amends current law relating to a fee associated with a required inspection of a motor vehicle for certain title transfers and authorizes a fee.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 501, Transportation Code, by adding Section 501.0291, as follows:

Sec. 501.0291.VEHICLE IDENTIFICATION NUMBER INSPECTION FEE. (a) Authorizes the auto theft unit of a county or municipal law enforcement agency, if the auto theft unit of a county or municipal law enforcement agency conducts an inspection required by the Texas Department of Motor Vehicles (TxDMV) under this chapter or by the tax assessor-collector of a county to verify the identity of a vehicle or part of a vehicle for a title transfer, to impose a fee of \$40.

(b) Requires the county or municipal treasurer to credit the fee to the general fund of the county or municipality, as applicable, to defray the agency's cost associated with the inspection.

(c) Requires the fee to be waived by TxDMV or the agency imposing the fee if the person is applying for an inspection for the purposes of Section 501.033 (Assignment of Identification Number by Department) and is the current registered owner.

SECTION 2. Repealer: Section 501.033(e) (relating to the authority of an auto theft unit of a county or municipal law enforcement agency to impose a fee for a certain inspection and the procedures for the use of that fee), Transportation Code.

SECTION 3. Effective date: September 1, 2017.