

## **BILL ANALYSIS**

Senate Research Center

S.B. 711  
By: Hinojosa  
Transportation  
5/30/2019  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are an unprecedented number of vehicles on Texas roads with open safety recalls. The largest recall in U.S. history involves unsafe and defective Takata airbags, which have been linked to numerous fatalities and serious injury accidents. Unfortunately, Texas ranks last in the nation in terms of vehicle owners taking these unsafe recalled vehicles to dealerships to get their recall repair work completed. Despite what are often many attempts to reach the owner of a recalled vehicle, many owners and motorists are often unaware that the vehicle they operate needs to have a recall repair performed.

To improve recall repair completion rates in Texas, motor vehicle safety inspections should be enhanced by adding a check of each vehicle inspected to determine whether that vehicle is the subject of an open recall. States that have chosen to include an open recall notification on their vehicle inspection reports have seen a significant increase in recall repairs being completed, thereby improving vehicle safety. (Original Author's/Sponsor's Statement of Intent)

S.B. 711 amends current law relating to allowing safety recall information to be included in a vehicle inspection report.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 382.202, Health and Safety Code) of this bill.

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 2 (Section 548.252, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 382.202, Health and Safety Code, by adding Subsection (d-1), as follows:

(d-1) Authorizes the Texas Commission on Environmental Quality (TCEQ) to adopt rules providing for the inclusion on a vehicle inspection report for a vehicle inspected in a county that is included in a vehicle emissions inspection and maintenance program under Subchapter F (Motor Vehicle Emissions Inspection and Maintenance), Chapter 548, Transportation Code, of notification regarding whether the vehicle is subject to a safety recall for which the vehicle has not been repaired or the repairs are incomplete. Authorizes TCEQ to accept gifts, grants, and donations from any source, including private and nonprofit organizations, for the purpose of providing the notification described by this subsection.

SECTION 2. Amends Section 548.252, Transportation Code, by adding Subsection (c), as follows:

(c) Authorizes the Department of Public Safety of the State of Texas (DPS) to adopt rules providing for the inclusion on a vehicle inspection report for a vehicle inspected under this chapter (Compulsory Inspection of Vehicles) notification regarding whether the vehicle is subject to a safety recall for which the vehicle has not been repaired or the

repairs are incomplete. Authorizes DPS to accept gifts, grants, and donations from any source, including private and nonprofit organizations, for the purpose of providing the notification described by this subsection.

SECTION 3. Requires TCEQ and DPS to implement a provision of this Act, as applicable, only if the legislature appropriates money specifically for that purpose. Authorizes TCEQ and DPS, but does not require TCEQ and DPS, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act, as applicable, using other appropriations available for that purpose.

SECTION 4. Effective date: September 1, 2019.