

## **BILL ANALYSIS**

S.B. 1062  
By: Perry  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note significant delays in the process by which motor vehicle ownership in Texas is transferred due to a requirement for certain written forms to be exchanged by mail. S.B. 1062 seeks to mitigate these delays by providing for electronic versions of certain of these documents.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 2 of this bill.

### **ANALYSIS**

S.B. 1062 amends the Transportation Code to require the Texas Department of Motor Vehicles (TxDMV) to provide for use consistent with federal regulations a secure power of attorney form and a secure reassignment form for licensed motor vehicle dealers. The bill requires TxDMV by rule to establish a process to accept electronic signatures on secure documents that have been electronically signed through a system not controlled by TxDMV but expressly does not require TxDMV to certify an electronic signature process or an electronic signature vendor before accepting a document that is executed with an electronic signature. The bill requires a system used for submitting electronic signatures to TxDMV to verify the identity of the person electronically signing a document and to submit the document through the electronic titling system. The bill requires TxDMV to adopt, not later than January 1, 2019, rules necessary to implement the process.

S.B. 1062 replaces references to the seller, buyer, and sale of a motor vehicle in statutory provisions relating to the odometer disclosure statement required for the sale of a motor vehicle in Texas with references to the transferor, transferee, and transfer, respectively, of the vehicle and defines "transferor" and "transferee" by reference to federal regulations. The bill removes requirements that the disclosure be written and provided on a form prescribed by TxDMV and instead requires the transferor of a motor vehicle to provide the disclosure to the transferee in compliance with federal law. The bill removes the exemption from the odometer disclosure statement requirement for the sale of specified motor vehicles and instead exempts from that requirement the transfer of a motor vehicle that is exempt from odometer disclosure requirements under federal regulations.

**EFFECTIVE DATE**

January 1, 2018.