

By: Rodriguez of Travis

H.B. No. 3351

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to manufacturers and distributors of only all  
3 electric-powered or all battery-powered motor vehicles.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2301.476, Occupations Code, is amended by  
6 adding subsection (i-1) to read as follows:

7 (i-1) Notwithstanding the terms of this chapter, and  
8 subject to the limitations set forth in this subsection, a  
9 manufacturer of only all electric-powered or all battery-powered  
10 motor vehicles, or a distributor of only all electric-powered or  
11 all battery-powered motor vehicles, that (i) owned and operated a  
12 new motor vehicle dealership in the United States on or before March  
13 1, 2013, and (ii) has never sold its line make in the United States  
14 through an independent franchised new motor vehicle dealership, may  
15 own or operate a dealer or dealership, or act in the capacity of a  
16 dealer, at any location within the state and may obtain a dealer  
17 general distinguishing number under Section 503.029 of the  
18 Transportation Code.

19 SECTION 2. Section 2301.252(a), Occupations Code, is  
20 amended by adding subsection (a)(3) to read as follows:

21 (a) A person may not engage in the business of buying,  
22 selling, or exchanging new motor vehicles unless the person:

23 (1) holds a franchised dealer's license issued under  
24 this chapter for the make of a new motor vehicle being bought, sold,

1 or exchanged; [~~or~~]

2 (2) is a bona fide employee of the holder of a  
3 franchised dealer's license; or

4 (3) is a bona fide employee of a manufacturer or  
5 distributor authorized to own or operate a dealer or dealership  
6 pursuant to § 2301.476(i-1).

7 SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2013.