TEXAS OFFICE OF CONSUMER CREDIT COMMISSIONER

Motor Vehicle Advisory Bulletin: Documentary Fee Filing Instructions

This bulletin describes the requirements for motor vehicle documentary fee filings under Chapter 348 of the Texas Finance Code. It addresses five issues:

A. General requirements for Chapter 348 documentary fees
B. How to notify the OCCC of a documentary fee over $50
C. How to view documentary fee filing history
D. How to reprint an e-mailed notification from the OCCC
E. How to provide a cost analysis to the OCCC for a documentary fee over $150

A. General requirements for Chapter 348 documentary fees

The legal requirements for Chapter 348 documentary fees are located in Texas Finance Code, Section 348.006, and the OCCC's rule on documentary fees at Texas Administrative Code, Title 7, Section 84.205 (which was recently amended, effective June 1, 2016).

- ***$50 or less:*** A seller is not required to provide a notification to the OCCC before charging a documentary fee of $50 or less.
- ***Over $50, up to $150:*** Before charging a documentary fee greater than $50, but less than or equal to $150, a seller must provide a notification to the OCCC. A seller is not required to provide a cost analysis before charging a documentary fee in this range.
- ***Over $150:*** Before charging a documentary fee greater than $150, a seller must provide both a notification and a cost analysis to the OCCC.

B. How to notify the OCCC of a documentary fee over $50

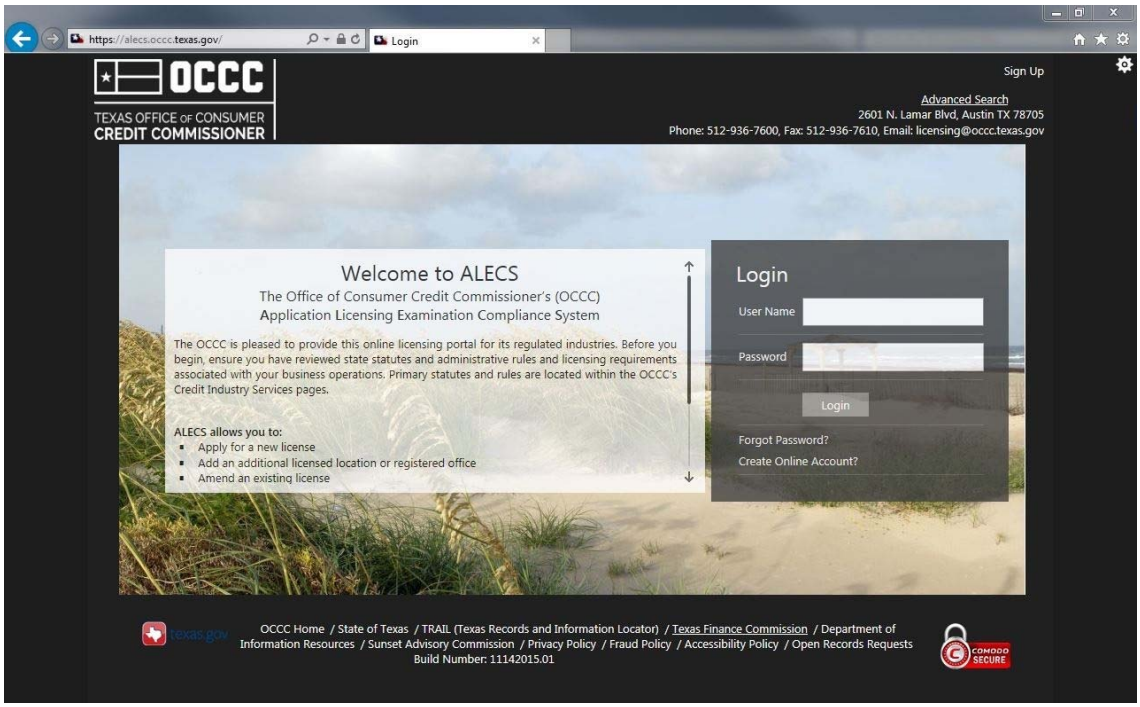
Before charging a documentary fee greater than $50, a seller must provide a written notification to the OCCC, stating the amount of the documentary fee that the seller intends to charge. A seller may not charge a documentary fee higher than the filed amount. Sellers can increase their documentary fee amount by providing a new notification.

NOTE: A seller must provide a notification for each licensed location or registered office where motor vehicles are sold.

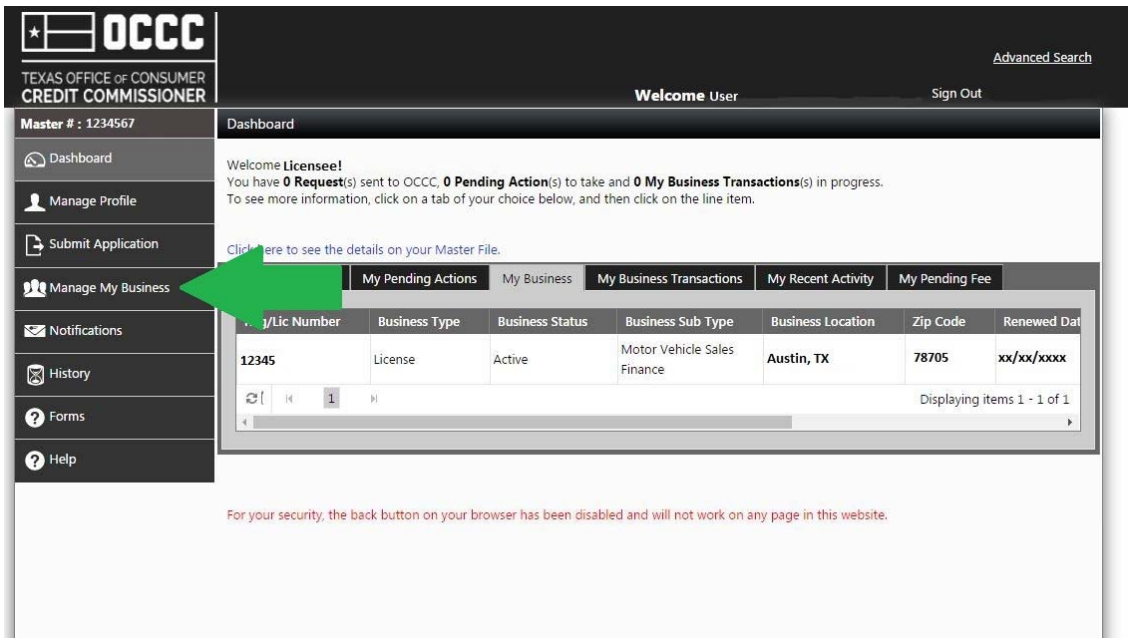
The OCCC accepts documentary fee filings through the OCCC's Application Licensing Examination Compliance System (ALECS). We only accept documentary fee filings through ALECS. We encourage your dealership to link your ALECS account if you have not done so already and you intend to submit a documentary fee filing.

To send a documentary fee notification to the OCCC, follow these steps:

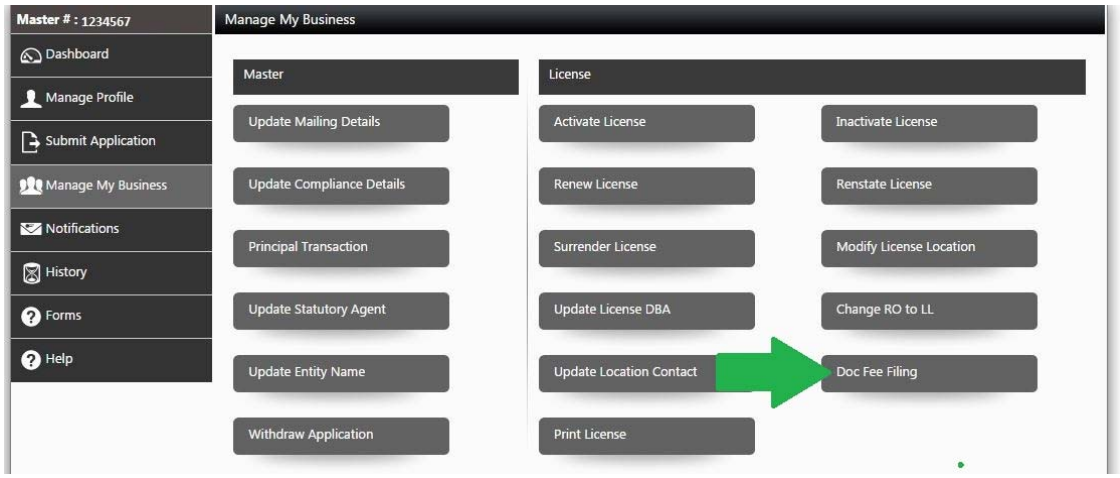
Step 1: Go to **ALECS.OCCC.TEXAS.GOV** and log into ALECS with your user ID and password. If you do not have an ALECS account, please click **SIGN UP** on the top right corner and follow the directions to link your business.



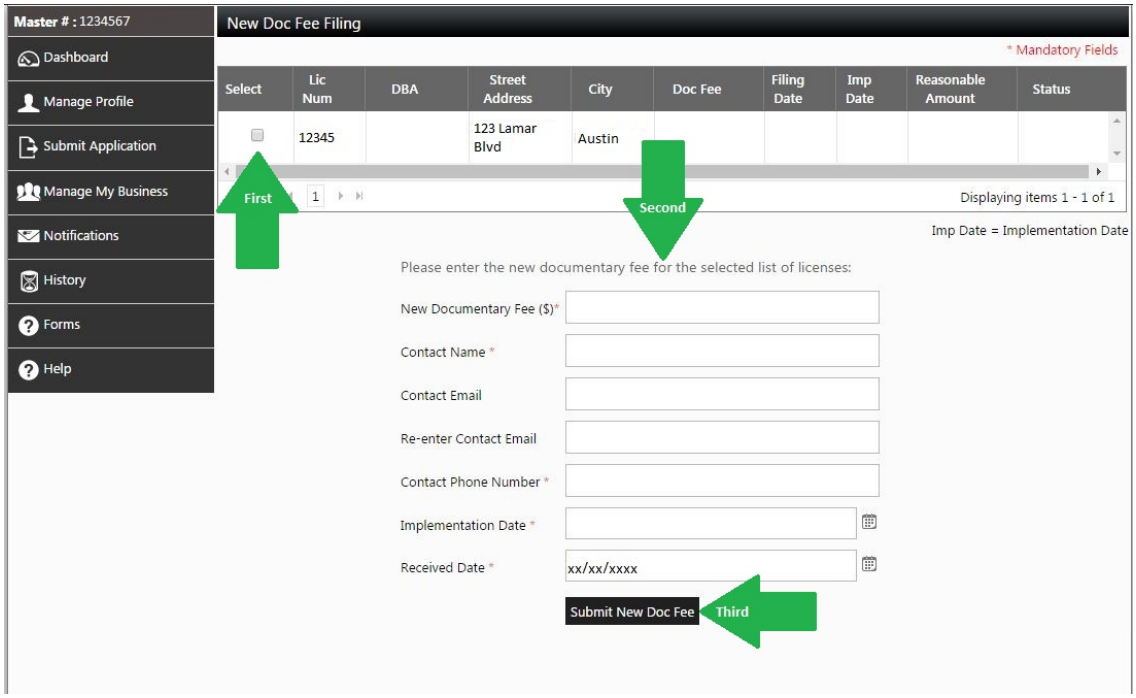
Step 2: Click on **MANAGE MY BUSINESS** on the left hand column.



Step 3: Click the **DOC FEE FILING** button.



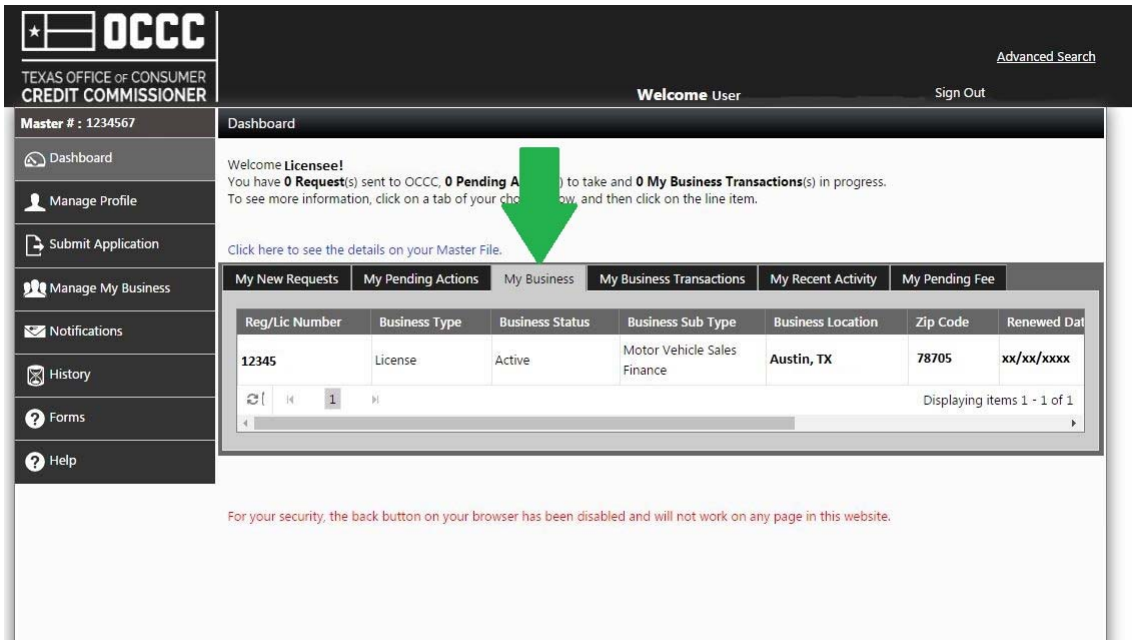
Step 4: Select the license(s) for which you want to apply the new documentary fee. Enter the required information in the fields below and click SUBMIT NEW DOC FEE. *Note: The Implementation Date is the date when you intend to start charging the new documentary fee. Tex. Fin. Code §348.006(e) requires a retail seller to file first before charging the new documentary fee.*



Step 5: If your filing was submitted successfully, you will receive an email notification and you should see the following screen:

C. How to view documentary fee filing history

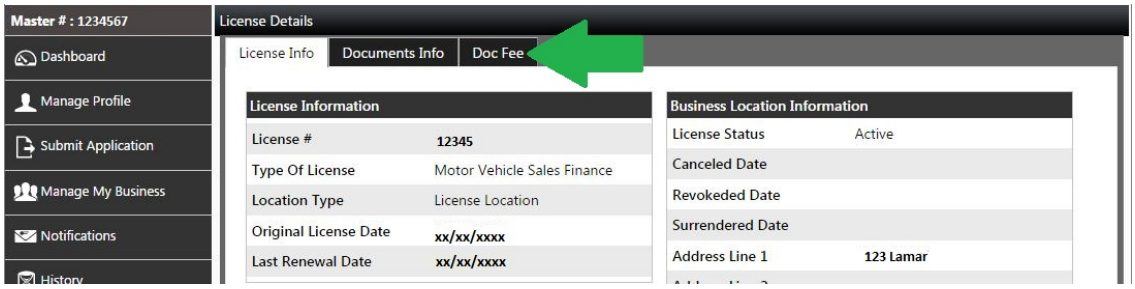
Step 1: Click on the **MY BUSINESS** tab on the welcome screen.



Step 2: Click anywhere on the license information above to proceed. The cursor should look like this.

Note: If there is more than one license under the master file, you will have to repeat these steps from the beginning for each license to view its filing history.

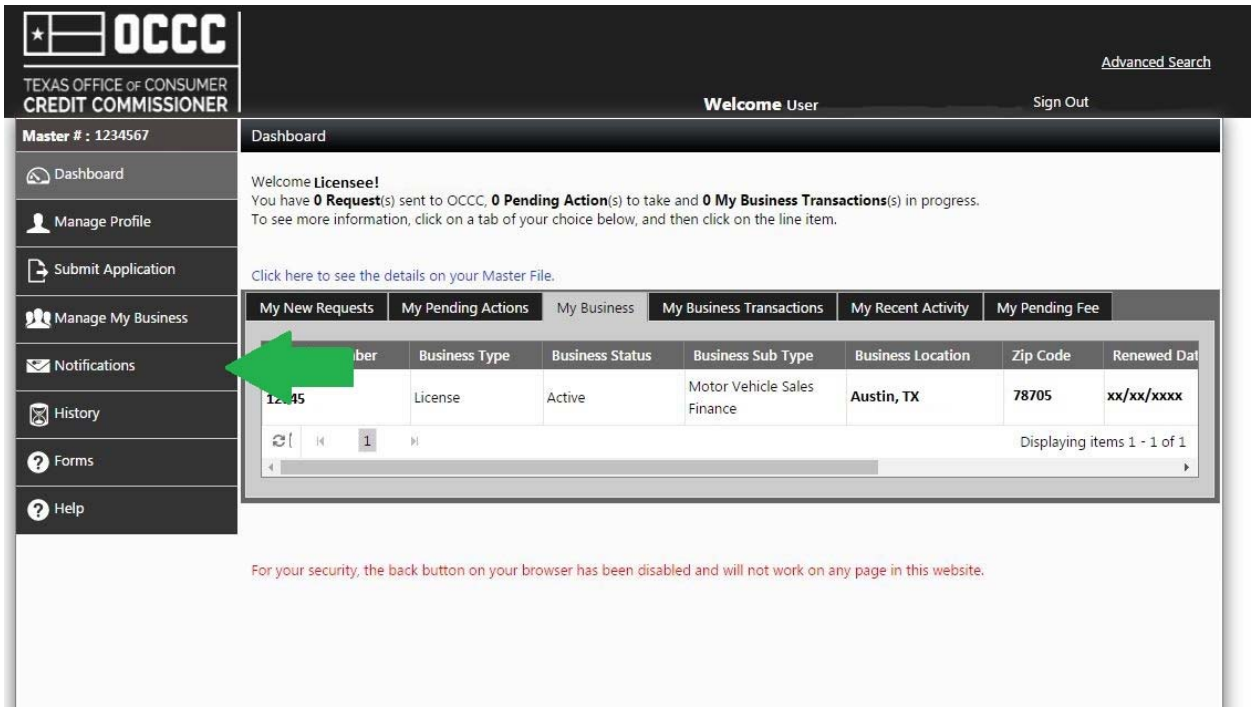
Step 3: Click on the **DOC FEE** tab to go to the filing history.



The filing history will look like the following:

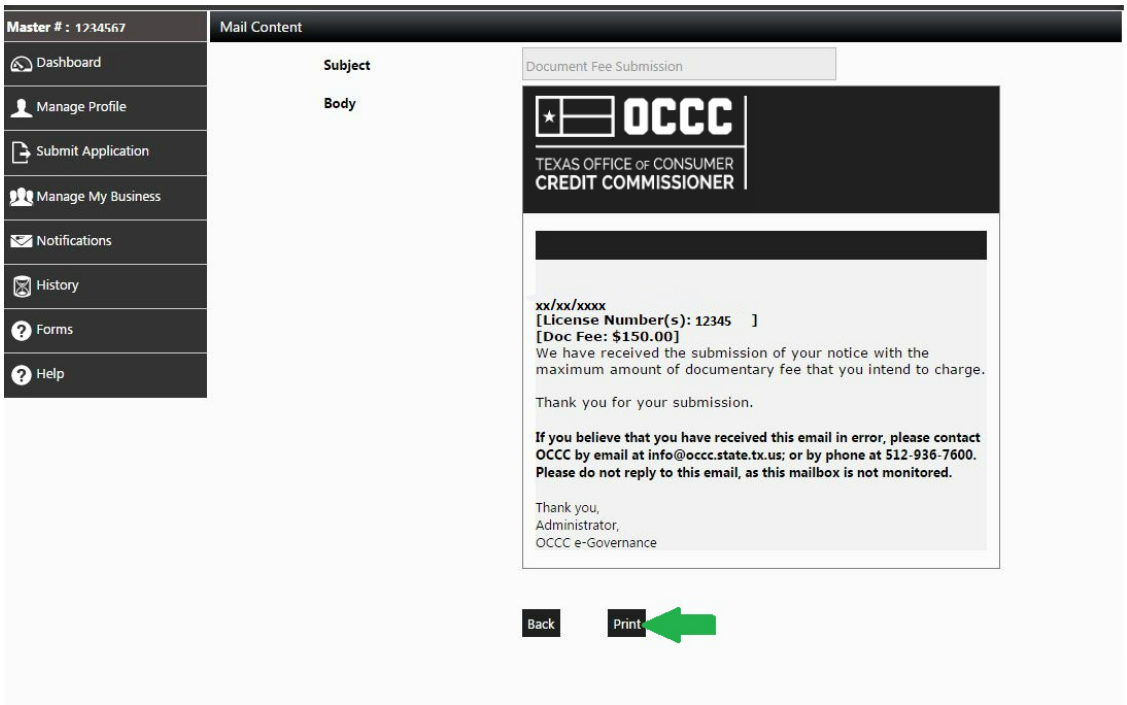
D. How to reprint an e-mailed notification from the OCCC

Step 1: Click on **NOTIFICATIONS** on the left hand column of the welcome screen.



Step 2: Locate the documentary fee filing transaction you want, and click **VIEW** under the **ACTION** column.

Step 3: Click the **PRINT** button.



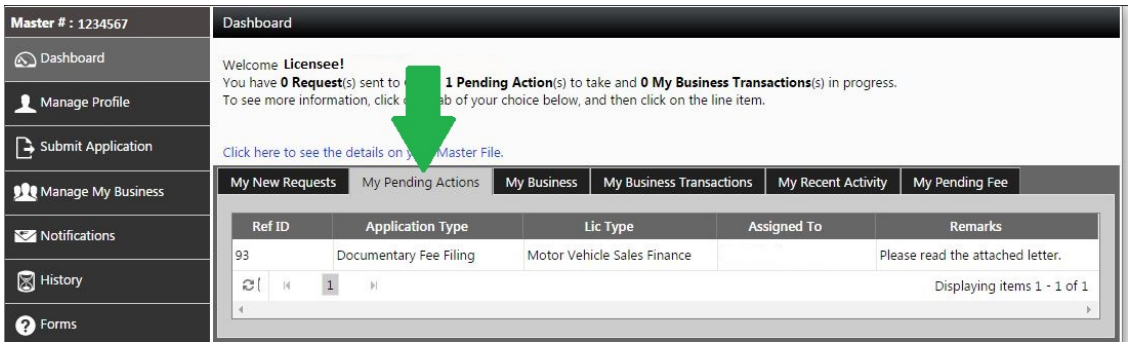
E. How to provide a cost analysis to the OCCC for a documentary fee over $150

If you file for a documentary fee over $150, you will need to provide the OCCC with a cost analysis that supports the documentary fee. The OCCC will review the amount of the fee and the cost analysis for reasonableness.

You can provide the cost analysis by responding to a request for information (RFI) from the OCCC. After you send a notification listing a documentary fee over $150, you will receive an e-mail asking you to log into ALECS to respond to the RFI. The requested information will be cost justification materials to support your filing.

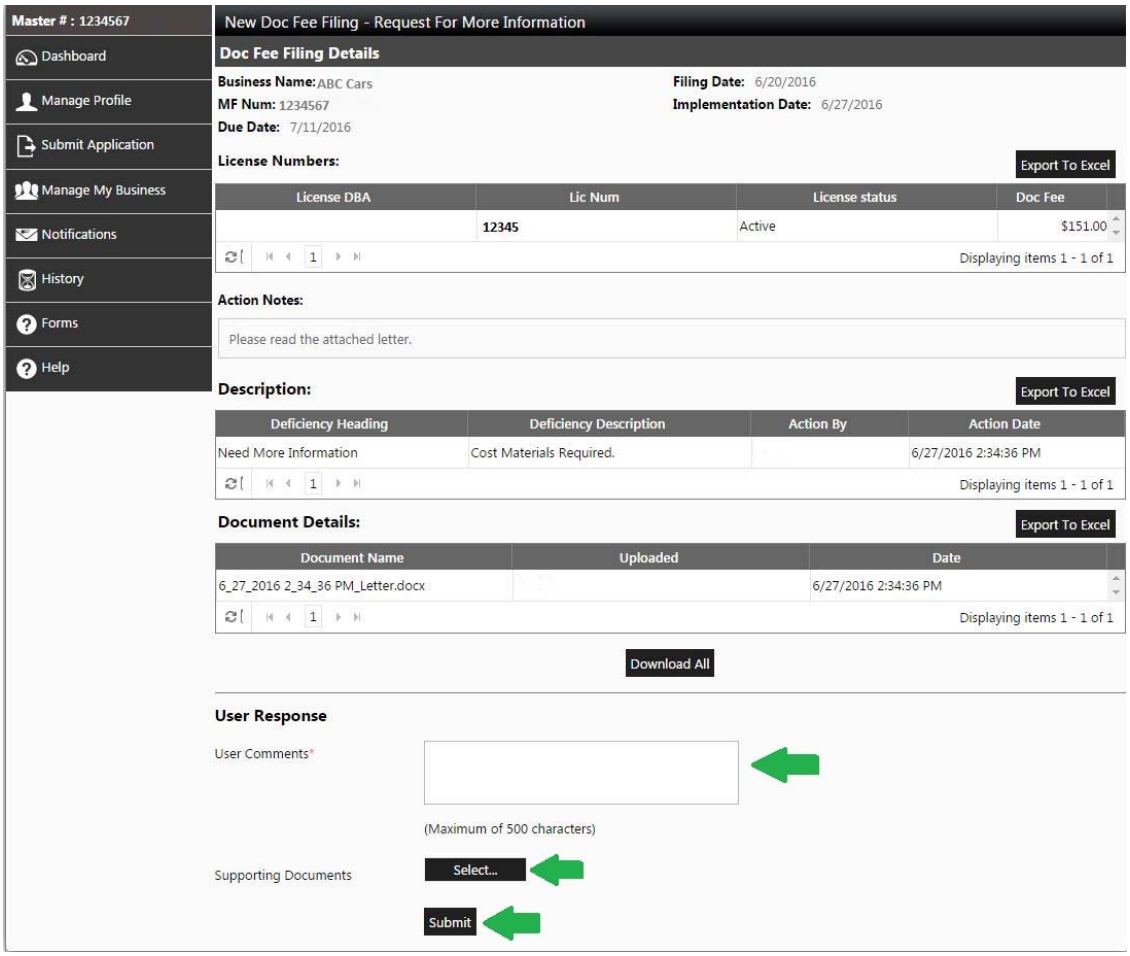
To respond to an RFI, please see the following instructions:

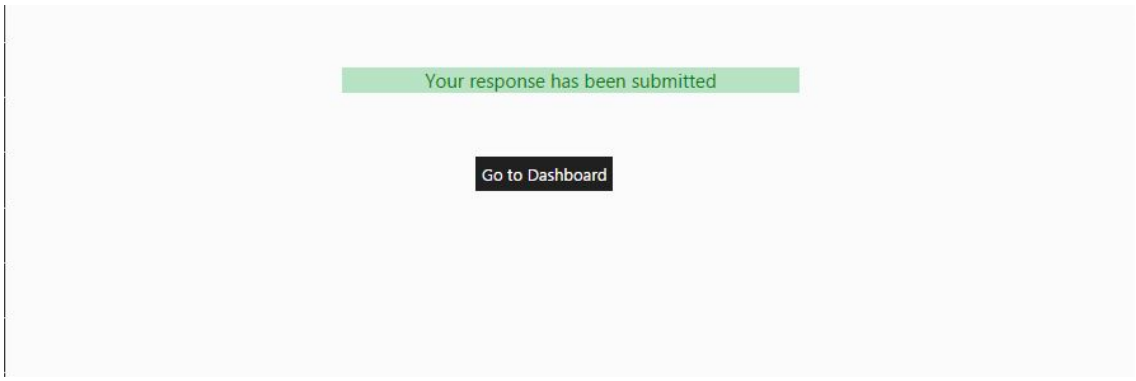
Step 1: To check for an RFI, click **MY PENDING ACTIONS** tab on the welcome screen.



Step 2: Click anywhere on the filing information above to proceed. The cursor should look like this.

Step 3: Review information under the following headings: **ACTION NOTES**, **DESCRIPTION**, and **DOCUMENT DETAILS**.



Under **DOCUMENT DETAILS**, you can click the **DOWNLOAD ALL** button to download all files listed or you can click on each item to download them individually.

Step 4: To provide the requested information, enter comments into the **USER COMMENTS** section then click the **SELECT** button to upload documents. When done uploading documents, click the **SUBMIT** button. If your response was submitted successfully, you should see the following screen: