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Kicked to the curb

'Curbstoning' is the illegal sale of cars on the street by unscrupulous, often unlicensed dealers. The state's lawmakers hope to stop it.

EVERY once in a while, the interests of consumers, businesses and revenue-thirsty governments converge. A bill against "curbstoning," which passed unanimously in the Texas House and will likely be considered next week in the Senate, looks to be a good example. Introduced by Republican state Rep. Dwayne Bohac and Democratic Sen. Rodney Ellis, the legislation seals a loophole that keeps city courts from trying sellers accused of unlawful, often fraudulent car sales. If this sensible bill becomes a law, it will put the brakes on a whole range of criminal activity.

The expression "curbstoning" may not be familiar, but the phenomenon itself should be. Who hasn't seen glossy convertibles or pristine-looking trucks by the road, with "For sale by owner" and a tempting price scrawled on the vehicle? In some cases, these are legitimate offers: An individual wants to sell his or her personal vehicle, and the transaction will include sales tax and an up-to-date car title.

In a surprising number of cases, though, those tempting wheels transport nothing but a scam. Many of the cars have been damaged by hail or flooding. An unscrupulous dealer has purchased them by the hundreds and parked them around the city. The alleged vendor is just a middleman who promises to hand over the title at a later date. When the buyer discovers that the car is nothing more than salvage material, the middleman has disappeared with the buyer's money.

John Barajas, senior investigator with the Texas Department of Transportation's Motor Vehicle Division, says that those who buy a car under these circumstances run a nearly one in three chance of buying a car that is stolen, has false mileage on the odometer, is rebuilt salvage, has flood or weather damage, has frame damage due to a wreck, has a lienholder who has not been paid off, or does not have a clear chain of ownership on the certificate of title. TxDOT officials recommend that car buyers demand to see an up-to-date title before handing over any money.

Legitimate car dealers aren't the problem. Curbstoners are shrewd operators who change cellphone carriers each month and take advantage of the month-long gap between insurance payments for a ruined car — and the replacement title deeming that car good for nothing but salvage.

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Their victims are the most vulnerable consumers: people who desperately need a car and are unaware of online services that show a vehicle's repair history.

Curbstoners have other victims too. They undercut the business of registered car dealers. Their shady salesfolk infest poor neighborhoods. And state and local governments lose tens of thousands of dollars in sales taxes and uncollected fines. That's why City Council member Toni Lawrence, Bohac and Ellis have joined with the mayor's office and TxDOT to close the curbstone loophole. Once illegal car dealers can be tried in city courts, Houston consumers, businesses and neighborhoods will all be safer.