

**TRANSPORTATION CODE**  
**CHAPTER 728. SALE OR TRANSFER OF MOTOR VEHICLES**  
**AND MASTER KEYS**

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**SUBCHAPTER A.**  
**SALE OF MOTOR VEHICLES ON CONSECUTIVE**  
**SATURDAY AND SUNDAY**

**Section 728.001. Definitions**

In this subchapter:

(1) "Employer" means a person who:

(A) owns a facility that sells or offers for sale motor vehicles; or

(B) has the authority to determine the hours of operation of the facility.

(2) "Motor vehicle" means a self-propelled vehicle of two or more wheels designed to transport a person or property.

**Section 728.002. Sale of Motor Vehicles on Consecutive Saturday and Sunday Prohibited**

(a) A person may not, on consecutive days of Saturday and Sunday:

(1) sell or offer for sale a motor vehicle; or

(2) compel an employee to sell or offer for sale a motor vehicle.

(b) Each day a motor vehicle is offered for sale is a separate violation. Each sale of a motor vehicle is a separate violation.

(c) This section does not prohibit the occasional sale of a motor vehicle by a person not in a business that includes the sale of motor vehicles.

(d) This section does not prohibit the quoting of a price for a motor home or tow truck at a show or exhibition described by Section 2301.358, Occupations Code.

**Section 728.003. Civil Penalty**

(a) A person who violates Section 728.002 is subject to a civil penalty of:

- (1) not more than \$ 500 for a first violation;
- (2) not less than \$ 500 or more than \$ 1,000 for a second violation; or
- (3) not less than \$ 1,000 or more than \$ 5,000 for a third or subsequent violation.

(b) On a finding by the trier of fact that a person wilfully or with conscious indifference violated Section 728.002, the court may triple the penalty due under Subsection (a).

**Section 728.004. Enforcement; Injunction**

(a) The attorney general or a district, county, or municipal attorney may enforce this subchapter and may bring an action in the county in which a violation is alleged.

(b) The operation of a business in violation of this subchapter is a public nuisance. Any person, including a district, county, or municipal attorney, may obtain an injunction restraining a violation of this subchapter. A person who obtains an injunction under this subsection may recover the person's costs, including court costs and reasonable attorney's fees.

(c) An employer is a necessary party to an action brought against its employee under this section. An employer is strictly liable for all amounts, including civil penalties, damages, costs, and attorney's fees, resulting from a violation of Section 728.002 by its employee.

**SUBCHAPTER B.  
SALE OF MASTER KEY FOR MOTOR VEHICLE IGNITIONS**

**Section 728.011. Sale of Master Key for Motor Vehicle Ignitions**

(a) A person commits an offense if the person sells or offers to sell a master key knowingly designed to fit the ignition switch on more than one motor vehicle.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$ 25 or more than \$ 200.