

By: Noble

H.B. No. 2195

Substitute the following for H.B. No. 2195:

By: Canales

C.S.H.B. No. 2195

A BILL TO BE ENTITLED

1 AN ACT
2 relating to wrong, fictitious, altered, or obscured license plates;
3 increasing a criminal penalty.

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

5 SECTION 1. Section 504.945, Transportation Code, is amended
6 by amending Subsections (a) and (b) and adding Subsection (f) to
7 read as follows:

8 (a) A person commits an offense if the person attaches to or
9 displays on a motor vehicle a license plate that:

10 (1) is issued for a different motor vehicle;

11 (2) is issued for the vehicle under any other motor
12 vehicle law other than by the department;

13 (3) is assigned for a registration period other than
14 the registration period in effect;

15 (4) is fictitious;

16 (5) has blurring or reflective matter that
17 significantly impairs the readability of the name of the state in
18 which the vehicle is registered or the letters or numbers of the
19 license plate number at any time;

20 (6) has an attached illuminated device or sticker,
21 decal, emblem, or other insignia that is not authorized by law and
22 that interferes with the readability of the letters or numbers of
23 the license plate number or the name of the state in which the
24 vehicle is registered; or

1 (7) has a coating, covering, protective substance, or
2 other material that:

3 (A) distorts angular visibility or
4 detectability;

5 (B) alters or obscures one-half or more of the
6 name of the state in which the vehicle is registered; or

7 (C) alters, covers, or obscures the letters or
8 numbers of the license plate number or the color of the plate.

9 (b) Except as provided by Subsections [~~Subsection~~] (e) and
10 (f), an offense under Subsection (a) is a misdemeanor punishable by
11 a fine of not more than \$200, unless it is shown at the trial of the
12 offense that the owner knowingly altered or made illegible the
13 letters, numbers, and other identification marks, in which case the
14 offense is a Class B misdemeanor.

15 (f) An offense under Subsection (a)(7)(C) is a misdemeanor
16 punishable by a fine of not more than \$300, except that the offense
17 is:

18 (1) a misdemeanor punishable by a fine of not more than
19 \$600 if it is shown on the trial of the offense that the person has
20 been previously convicted of an offense under Subsection (a)(7)(C);
21 or

22 (2) a Class B misdemeanor if it is shown on the trial
23 of the offense that the person has been previously convicted two or
24 more times of an offense under Subsection (a)(7)(C).

25 SECTION 2. Section [548.051\(a\)](#), Transportation Code, is
26 amended to read as follows:

27 (a) A motor vehicle, trailer, semitrailer, pole trailer, or

1 mobile home, registered in this state, must have the following
2 items inspected at an inspection station or by an inspector:

- 3 (1) tires;
- 4 (2) wheel assembly;
- 5 (3) safety guards or flaps, if required by Section
6 547.606;
- 7 (4) brake system, including power brake unit;
- 8 (5) steering system, including power steering;
- 9 (6) lighting equipment;
- 10 (7) horns and warning devices;
- 11 (8) mirrors;
- 12 (9) windshield wipers;
- 13 (10) sunscreening devices, unless the vehicle is
14 exempt from sunscreen device restrictions under Section 547.613;
- 15 (11) front seat belts in vehicles on which seat belt
16 anchorages were part of the manufacturer's original equipment;
- 17 (12) exhaust system;
- 18 (13) exhaust emission system;
- 19 (14) fuel tank cap, using pressurized testing
20 equipment approved by department rule; ~~and~~
- 21 (15) emissions control equipment as designated by
22 department rule; and
- 23 (16) for purposes of Section 548.104(d)(3), each
24 license plate required to be displayed on the vehicle.

25 SECTION 3. Section 548.104(d), Transportation Code, is
26 amended to read as follows:

27 (d) An inspection station or inspector may not issue a

1 passing vehicle inspection report for a vehicle equipped with:

2 (1) a sunscreening device prohibited by Section
3 547.613, except that the department by rule shall provide
4 procedures for issuance of a passing vehicle inspection report for
5 a vehicle exempt under Section 547.613(c); ~~or~~

6 (2) a compressed natural gas container unless the
7 owner demonstrates in accordance with department rules proof:

8 (A) that:

9 (i) the container has met the inspection
10 requirements under 49 C.F.R. Section 571.304; and

11 (ii) the manufacturer's recommended service
12 life for the container, as stated on the container label required by
13 49 C.F.R. Section 571.304, has not expired; or

14 (B) that the vehicle is a fleet vehicle for which
15 the fleet operator employs a technician certified to inspect the
16 container; or

17 (3) a license plate prohibited by Section 504.945.

18 SECTION 4. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 governed by the law in effect on the date the offense was committed,
22 and the former law is continued in effect for that purpose. For
23 purposes of this section, an offense was committed before the
24 effective date of this Act if any element of the offense was
25 committed before that date.

26 SECTION 5. This Act takes effect September 1, 2023.