

1-1 By: Noble (Senate Sponsor - Parker) H.B. No. 2195
 1-2 (In the Senate - Received from the House May 1, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on
 1-4 Transportation; May 11, 2023, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 11, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to wrong, fictitious, altered, or obscured license plates;
 1-20 increasing a criminal penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 504.945, Transportation Code, is amended
 1-23 by amending Subsections (a) and (b) and adding Subsection (f) to
 1-24 read as follows:

1-25 (a) A person commits an offense if the person attaches to or
 1-26 displays on a motor vehicle a license plate that:

1-27 (1) is issued for a different motor vehicle;

1-28 (2) is issued for the vehicle under any other motor
 1-29 vehicle law other than by the department;

1-30 (3) is assigned for a registration period other than
 1-31 the registration period in effect;

1-32 (4) is fictitious;

1-33 (5) has blurring or reflective matter that
 1-34 significantly impairs the readability of the name of the state in
 1-35 which the vehicle is registered or the letters or numbers of the
 1-36 license plate number at any time;

1-37 (6) has an attached illuminated device or sticker,
 1-38 decal, emblem, or other insignia that is not authorized by law and
 1-39 that interferes with the readability of the letters or numbers of
 1-40 the license plate number or the name of the state in which the
 1-41 vehicle is registered; or

1-42 (7) has a coating, covering, protective substance, or
 1-43 other material that:

1-44 (A) distorts angular visibility or
 1-45 detectability;

1-46 (B) alters or obscures one-half or more of the
 1-47 name of the state in which the vehicle is registered; or

1-48 (C) alters, covers, or obscures the letters or
 1-49 numbers of the license plate number or the color of the plate.

1-50 (b) Except as provided by Subsections ~~[Subsection]~~ (e) and
 1-51 (f), an offense under Subsection (a) is a misdemeanor punishable by
 1-52 a fine of not more than \$200, unless it is shown at the trial of the
 1-53 offense that the owner knowingly altered or made illegible the
 1-54 letters, numbers, and other identification marks, in which case the
 1-55 offense is a Class B misdemeanor.

1-56 (f) An offense under Subsection (a)(7)(C) is a misdemeanor
 1-57 punishable by a fine of not more than \$300, except that the offense
 1-58 is:

1-59 (1) a misdemeanor punishable by a fine of not more than
 1-60 \$600 if it is shown on the trial of the offense that the person has
 1-61 been previously convicted of an offense under Subsection (a)(7)(C);

2-1 or
2-2 (2) a Class B misdemeanor if it is shown on the trial
2-3 of the offense that the person has been previously convicted two or
2-4 more times of an offense under Subsection (a)(7)(C).

2-5 SECTION 2. Section 548.051(a), Transportation Code, is
2-6 amended to read as follows:

2-7 (a) A motor vehicle, trailer, semitrailer, pole trailer, or
2-8 mobile home, registered in this state, must have the following
2-9 items inspected at an inspection station or by an inspector:

- 2-10 (1) tires;
- 2-11 (2) wheel assembly;
- 2-12 (3) safety guards or flaps, if required by Section
2-13 547.606;
- 2-14 (4) brake system, including power brake unit;
- 2-15 (5) steering system, including power steering;
- 2-16 (6) lighting equipment;
- 2-17 (7) horns and warning devices;
- 2-18 (8) mirrors;
- 2-19 (9) windshield wipers;
- 2-20 (10) sunscreening devices, unless the vehicle is
2-21 exempt from suncreen device restrictions under Section 547.613;
- 2-22 (11) front seat belts in vehicles on which seat belt
2-23 anchorages were part of the manufacturer's original equipment;
- 2-24 (12) exhaust system;
- 2-25 (13) exhaust emission system;
- 2-26 (14) fuel tank cap, using pressurized testing
2-27 equipment approved by department rule; ~~and~~
- 2-28 (15) emissions control equipment as designated by
2-29 department rule; and
- 2-30 (16) for purposes of Section 548.104(d)(3), each
2-31 license plate required to be displayed on the vehicle.

2-32 SECTION 3. Section 548.104(d), Transportation Code, is
2-33 amended to read as follows:

2-34 (d) An inspection station or inspector may not issue a
2-35 passing vehicle inspection report for a vehicle equipped with:

- 2-36 (1) a suncreening device prohibited by Section
2-37 547.613, except that the department by rule shall provide
2-38 procedures for issuance of a passing vehicle inspection report for
2-39 a vehicle exempt under Section 547.613(c); ~~or~~

2-40 (2) a compressed natural gas container unless the
2-41 owner demonstrates in accordance with department rules proof:

- 2-42 (A) that:
 - 2-43 (i) the container has met the inspection
2-44 requirements under 49 C.F.R. Section 571.304; and
 - 2-45 (ii) the manufacturer's recommended service
2-46 life for the container, as stated on the container label required by
2-47 49 C.F.R. Section 571.304, has not expired; or

2-48 (B) that the vehicle is a fleet vehicle for which
2-49 the fleet operator employs a technician certified to inspect the
2-50 container; or

2-51 (3) a license plate prohibited by Section 504.945.

2-52 SECTION 4. The change in law made by this Act applies only
2-53 to an offense committed on or after the effective date of this Act.
2-54 An offense committed before the effective date of this Act is
2-55 governed by the law in effect on the date the offense was committed,
2-56 and the former law is continued in effect for that purpose. For
2-57 purposes of this section, an offense was committed before the
2-58 effective date of this Act if any element of the offense was
2-59 committed before that date.

2-60 SECTION 5. This Act takes effect September 1, 2023.

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