

1-1 By: Springer S.B. No. 904
 1-2 (In the Senate - Filed February 14, 2023; March 3, 2023,
 1-3 read first time and referred to Committee on Transportation;
 1-4 March 15, 2023, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; March 15, 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 presumption for an offense to accessible parking.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Section 681.011, Transportation Code, is amended
 1-22 to read as follows:
 1-23 (a) A person commits an offense if:
 1-24 (1) the person stands a vehicle on which are displayed
 1-25 license plates issued under Section 504.201 or 504.202(b-1) or a
 1-26 disabled parking placard in a parking space or area designated
 1-27 specifically for persons with disabilities by: deliver to the
 1-28 attorney general all pertinent documents and information in the
 1-29 secretary's possession.
 1-30 (A) a political subdivision; or
 1-31 (B) a person who owns or controls private
 1-32 property used for parking as to which a political subdivision has
 1-33 provided for the application of this section under Subsection (f);
 1-34 and
 1-35 (2) the standing of the vehicle in that parking space
 1-36 or area is not authorized by Section 681.006, 681.007, or 681.008.
 1-37 (b) A person commits an offense if the person stands a
 1-38 vehicle on which license plates issued under Section 504.201 or
 1-39 504.202(b-1) are not displayed and a disabled parking placard is
 1-40 not displayed in a parking space or area designated specifically
 1-41 for individuals with disabilities by:
 1-42 (1) a political subdivision; or
 1-43 (2) a person who owns or controls private property
 1-44 used for parking as to which a political subdivision has provided
 1-45 for the application of this section under Subsection (f).
 1-46 (c) A person commits an offense if the person stands a
 1-47 vehicle so that the vehicle blocks an architectural improvement
 1-48 designed to aid persons with disabilities, including an access
 1-49 aisle or curb ramp.
 1-50 (d) A person commits an offense if the person lends a
 1-51 disabled parking placard issued to the person to a person who uses
 1-52 the placard in violation of this section.
 1-53 (e) In a prosecution under this section, it is presumed that
 1-54 the registered owner of the motor vehicle is the person who left the
 1-55 vehicle standing at the time and place the offense occurred.
 1-56 (f) A political subdivision may provide that this section
 1-57 applies to a parking space or area for persons with disabilities on
 1-58 private property that is designated in compliance with the
 1-59 identification requirements referred to in Section 681.009(b). The
 1-60 violation may not be dismissed for failure of the marking on the
 1-61 parking space to comply with Texas law if the space is in general

2-1 compliance and is clearly distinguishable as a designated
2-2 accessible parking space for people who have disabilities. Only a
2-3 warning may be issued for unlawfully parking in a space designated
2-4 for persons with disabilities if there is no above-grade sign as
2-5 provided by law.

2-6 (g) Except as provided by Subsections (h)-(k), an offense
2-7 under this section is a misdemeanor punishable by a fine of not less
2-8 than \$500 or more than \$750.

2-9 SECTION 2. This Act takes effect immediately if it receives
2-10 a vote of two-thirds of all the members elected to each house, as
2-11 provided by Section 39, Article III, Texas Constitution. If this
2-12 Act does not receive the vote necessary for immediate effect, this
2-13 Act takes effect September 1, 2023.

2-14

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