

1-1 By: Callegari (Senate Sponsor - Lindsay) H.B. No. 504
1-2 (In the Senate - Received from the House April 25, 2005;
1-3 April 26, 2005, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 23, 2005, reported
1-5 favorably by the following vote: Yeas 5, Nays 0; May 23, 2005, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to an offense involving a motor vehicle with an altered or
1-10 obscured license plate.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 502.409, Transportation Code, is amended
1-13 by amending Subsection (a) and adding Subsection (c) to read as
1-14 follows:

1-15 (a) A person commits an offense if the person attaches to or
1-16 displays on a motor vehicle a number plate or registration insignia
1-17 that:

1-18 (1) is assigned to a different motor vehicle;

1-19 (2) is assigned to the vehicle under any other motor
1-20 vehicle law other than by the department;

1-21 (3) is assigned for a registration period other than
1-22 the registration period in effect;

1-23 (4) is fictitious;

1-24 (5) has ~~[letters, numbers, or other identification~~
1-25 ~~marks that because of]~~ blurring or reflective matter that impairs
1-26 the readability of the name of the state in which the vehicle is
1-27 registered or the letters or numbers of the license plate number
1-28 [are not plainly visible] at any time [all times during daylight];

1-29 (6) has an attached illuminated device or sticker,
1-30 decal, emblem, or other insignia that is not authorized by law and
1-31 that interferes with the readability of the letters or numbers of
1-32 ~~[on]~~ the license plate number or the name of the state in which the
1-33 vehicle is registered; or

1-34 (7) has a coating, covering, or protective material
1-35 that:

1-36 (A) distorts angular visibility or
1-37 detectability; ~~[or]~~

1-38 (B) alters or obscures one-half or more of the
1-39 name of the state in which the vehicle is registered; or

1-40 (C) alters or obscures the letters or numbers of
1-41 [on] the license plate number or [7] the color of the plate [7, or
1-42 another original design feature of the plate].

1-43 (c) It is an exception to the application of Subsection
1-44 (a)(7)(B) that the device that alters or obscures the name of the
1-45 state is a transponder as defined by Section 224.158.

1-46 SECTION 2. (a) The change in law made by this Act applies
1-47 only to an offense committed on or after the effective date of this
1-48 Act. For purposes of this section, an offense is committed before
1-49 the effective date of this Act if any element of the offense occurs
1-50 before that date.

1-51 (b) An offense committed before the effective date of this
1-52 Act is covered by the law in effect when the offense was committed,
1-53 and the former law is continued in effect for that purpose.

1-54 SECTION 3. This Act takes effect September 1, 2005.

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