

By: Callegari, Guillen, et al.

H.B. No. 348

Substitute the following for H.B. No. 348:

By: Harless

C.S.H.B. No. 348

A BILL TO BE ENTITLED

AN ACT

relating to an offense involving a motor vehicle with an altered or obscured license plate.

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

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

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

(1) is assigned to a different motor vehicle;

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

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

(4) is fictitious;

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

(6) has an attached illuminated device or sticker, decal, emblem, or other insignia that is not authorized by law and that interferes with the readability of the letters or numbers of

1 ~~[on]~~ the license plate number or the name of the state in which the
2 vehicle is registered; or

3 (7) has a coating, covering, ~~[or]~~ protective material,
4 or other apparatus that:

5 (A) distorts angular visibility or
6 detectability; ~~[or]~~

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

9 (C) alters or obscures the letters or numbers of
10 ~~[on]~~ the license plate number or ~~[,]~~ the color of the plate~~[, or~~
11 ~~another original design feature of the plate]~~.

12 (c) Subsection (a)(7) may not be construed to apply to:

13 (1) a trailer hitch installed on a vehicle in a normal
14 or customary manner;

15 (2) a transponder, as defined by Section 228.057, that
16 is attached to a vehicle in the manner required by the issuing
17 authority;

18 (3) a wheelchair lift or wheelchair carrier that is
19 attached to a vehicle in a normal or customary manner;

20 (4) a trailer being towed by a vehicle; or

21 (5) a bicycle rack that is attached to a vehicle in a
22 normal or customary manner.

23 SECTION 2. (a) The change in law made by this Act applies
24 only to an offense committed on or after the effective date of this
25 Act. For purposes of this section, an offense is committed before
26 the effective date of this Act if any element of the offense occurs
27 before that date.

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

4 SECTION 3. This Act takes effect September 1, 2007.