

1-1 By: Williams S.B. No. 369
1-2 (In the Senate - Filed January 30, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 5, 2007, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 7,
1-6 Nays 0; March 5, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 369 By: Williams

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to an offense involving a motor vehicle with an altered or
1-11 obscured license plate.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 502.409, Transportation Code, is amended
1-14 by amending Subsection (a) and adding Subsection (c) to read as
1-15 follows:

1-16 (a) A person commits an offense if the person attaches to or
1-17 displays on a motor vehicle a number plate or registration insignia
1-18 that:

1-19 (1) is assigned to a different motor vehicle;

1-20 (2) is assigned to the vehicle under any other motor
1-21 vehicle law other than by the department;

1-22 (3) is assigned for a registration period other than
1-23 the registration period in effect;

1-24 (4) is fictitious;

1-25 (5) has ~~[letters, numbers, or other identification~~
1-26 ~~marks that because of]~~ blurring or reflective matter that impairs
1-27 the readability of the name of the state in which the vehicle is
1-28 registered or the letters or numbers of the license plate number
1-29 [are not plainly visible] at any time [all times during daylight];

1-30 (6) has an attached illuminated device or sticker,
1-31 decal, emblem, or other insignia that is not authorized by law and
1-32 that interferes with the readability of the letters or numbers of
1-33 ~~[or]~~ the license plate number or the name of the state in which the
1-34 vehicle is registered; or

1-35 (7) has a coating, covering, ~~[or]~~ protective material,
1-36 or other apparatus that:

1-37 (A) distorts angular visibility or
1-38 detectability; ~~[or]~~

1-39 (B) alters or obscures one-half or more of the
1-40 name of the state in which the vehicle is registered; or

1-41 (C) alters or obscures the letters or numbers of
1-42 [or] the license plate number or [7] the color of the plate[~~or~~
1-43 another original design feature of the plate].

1-44 (c) Subsection (a)(7) may not be construed to apply to:

1-45 (1) a trailer hitch installed on a vehicle in a normal
1-46 or customary manner;

1-47 (2) a transponder, as defined by Section 228.057, that
1-48 is attached to a vehicle in the manner required by the issuing
1-49 authority;

1-50 (3) a wheelchair lift or wheelchair carrier that is
1-51 attached to a vehicle in a normal or customary manner;

1-52 (4) a trailer being towed by a vehicle; or

1-53 (5) a bicycle rack that is attached to a vehicle in a
1-54 normal or customary manner.

1-55 SECTION 2. (a) The change in law made by this Act applies
1-56 only to an offense committed on or after the effective date of this
1-57 Act. For purposes of this section, an offense is committed before
1-58 the effective date of this Act if any element of the offense occurs
1-59 before that date.

1-60 (b) An offense committed before the effective date of this
1-61 Act is covered by the law in effect when the offense was committed,
1-62 and the former law is continued in effect for that purpose.

1-63 SECTION 3. This Act takes effect September 1, 2007.

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