

## **BILL ANALYSIS**

H.B. 400  
By: Herrero  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, there is no grace period for a person cited for illegally parking a vehicle with an expired disabled parking placard by obtaining a valid placard to have the citation dismissed. However, a person cited for an expired vehicle inspection certificate is granted a grace period in which the person may remedy the defect and have the citation dismissed. If the person obtains a valid inspection certificate within 20 working days or before the person's first court appearance, and the expired inspection certificate had not been expired for more than 60 days, the citation is dismissed.

H.B. 400 grants a person with a disability the same grace period to have a citation for an expired disabled parking placard dismissed by remedying the defect that is granted to a person pursuing the dismissal of a citation for an expired vehicle inspection certificate.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 400 amends the Transportation Code to require a court to dismiss a charge for an offense of parking a vehicle without a valid disabled parking placard in a parking space or area designated for individuals with disabilities if:

- the vehicle displayed a disabled parking placard that was not valid as expired;
- the defendant remedies the defect by renewing the expired disabled parking placard within 20 working days, as that term is defined in the bill, from the date of the offense or before the defendant's first court appearance date, whichever is later; and
- the disabled parking placard has not been expired for more than 60 days.

The bill requires the court to assess an administrative fee not to exceed \$20 when the charge has been remedied. The bill authorizes the court to dismiss a charge of unlawfully parking a vehicle in a space designated specifically for persons with disabilities if at the time of the offense the defendant's vehicle displays a disabled parking placard that has been expired for more than 60 days. The bill defines "working day."

### **EFFECTIVE DATE**

September 1, 2009.