

By: Parker

H.B. No. 1040

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the offense of operating a motor vehicle with an expired inspection certificate.

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

SECTION 1. Section 548.602(c), Transportation Code, is amended to read as follows:

(c) It is a defense to prosecution under Subsection (a)(1) that:

(1) an inspection certificate for the vehicle is in effect at the time of the arrest; or

(2) the defendant provides to the court a receipt issued by an inspection station showing that the date of expiration designated on the inspection certificate issued for the vehicle is incorrect and that the offense charged was alleged to have occurred before the fifth day after the correct date of expiration that should have been designated on the certificate.

SECTION 2. The change in law made by this Act applies to an offense under Section 548.602(a)(1), Transportation Code, regardless of whether the offense was committed before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2009.