

By: Merritt, Leibowitz, Miklos

H.B. No. 3988

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the issuance of disabled veteran license plates to  
3 surviving disabled spouses and of certain military license plates  
4 to the surviving spouses of military servicemembers who die while  
5 on active duty.

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

7 SECTION 1. Section 504.202, Transportation Code, is amended  
8 by adding Subsection (b-1) to read as follows:

9 (b-1) The surviving spouse of a veteran who at the time of  
10 death had a vehicle registered under Subsection (a) may register  
11 one vehicle under this section as long as the spouse remains  
12 unmarried and is permanently disabled at the time of application.  
13 An applicant for registration under this subsection must submit  
14 proof of the deceased veteran's previous eligibility under Section  
15 504.202(b) and the surviving spouse's current eligibility under  
16 Section 681.003.

17 SECTION 2. Section 504.302, Transportation Code, is amended  
18 by amending Subsection (a) and adding Subsection (c-1) to read as  
19 follows:

20 (a) The surviving spouse of a person is entitled to register  
21 one vehicle under the applicable section of this subchapter if the  
22 surviving spouse remains unmarried and the deceased:

23 (1) was issued ~~[who would be eligible for]~~ a specialty  
24 license plate under this subchapter;

1           (2) would have been eligible for a specialty license  
2 plate under this subchapter if the deceased had applied when alive;  
3 or

4           (3) was killed in action or posthumously became  
5 qualified for issuance of license plates under this subchapter [~~is~~  
6 ~~entitled to continue to register one vehicle under the applicable~~  
7 ~~section as long as the spouse remains unmarried)].~~

8           (c-1) The fee for a set of license plates and for  
9 replacement plates under this section is as appropriate to the  
10 plate type category. To the extent of a conflict between this  
11 subsection and another provision of this chapter, this subsection  
12 prevails.

13           SECTION 3. Sections 681.006(a) and (b), Transportation  
14 Code, are amended to read as follows:

15           (a) Subject to Section 681.009(e), a vehicle may be parked  
16 for an unlimited period in a parking space or area that is  
17 designated specifically for persons with physical disabilities if:

18                   (1) the vehicle is being operated by or for the  
19 transportation of a person with a disability; and

20                   (2) there are:

21                           (A) displayed on the vehicle special license  
22 plates issued under Section 504.201 or 504.202(b-1); or

23                           (B) placed on the rearview mirror of the  
24 vehicle's front windshield a disabled parking placard.

25           (b) The owner of a vehicle is exempt from the payment of a  
26 fee or penalty imposed by a governmental unit for parking at a meter  
27 if:

1           (1) the vehicle is being operated by or for the  
2 transportation of a person with a disability; and

3           (2) there are:

4           (A) displayed on the vehicle special license  
5 plates issued under Section 504.201 or 504.202(b-1); or

6           (B) placed on the rearview mirror of the  
7 vehicle's front windshield a disabled parking placard.

8       SECTION 4. Section 504.3015(c), Transportation Code, is  
9 repealed.

10       SECTION 5. This Act takes effect September 1, 2009.