

Amend CSHB 2357 (senate committee printing) as follows:

(1) In SECTION 44 of the bill, strike added Sections 501.1001(d), (e), and (f), Transportation Code (page 20, lines 21-34), and substitute the following:

(d) This subsection applies only to a motor vehicle in this state that is a self-insured motor vehicle and that is damaged to the extent it becomes a nonrepairable or salvage motor vehicle. The owner of a motor vehicle to which this subsection applies shall submit to the department before the 31st business day after the date of the damage, in a manner prescribed by the department, a statement that the motor vehicle was self-insured and damaged. When the owner submits a report, the owner shall surrender the ownership document and apply for a nonrepairable vehicle title, nonrepairable record of title, salvage vehicle title, or salvage record of title.

(2) In SECTION 70 of the bill, strike added Sections 501.176(b) and (c), Transportation Code (page 29, lines 45-58), and substitute the following:

(b) The department may collect a fee for processing a title or registration payment by electronic funds transfer, credit card, or debit card in an amount not to exceed the amount of the charges incurred by the department to process the payment.

(c) The department may collect the fee set under Section 2054.2591, Government Code, from a person making a payment by electronic funds transfer, credit card, or debit card through the online project implemented under Section 2054.252, Government Code.

(3) In SECTION 108 of the bill, strike added Sections 502.191(c) and (d), Transportation Code (page 50, lines 2-15), and substitute the following:

(c) The department may collect a fee for processing a payment by electronic funds transfer, credit card, or debit card in an amount not to exceed the amount of the charges incurred by the department to process the payment.

(d) The department may collect the fee set under Section 2054.2591, Government Code, from a person making a payment by electronic funds transfer, credit card, or debit card through the online project implemented under Section 2054.252, Government

Code.

(4) In SECTION 179 of the bill, strike amended Section 504.3011, Transportation Code (page 76, lines 10-22), and substitute the following:

Sec. 504.3011. DESIGN OF CERTAIN LICENSE PLATES FOR THE MILITARY. [~~(a) License plates issued under Section 504.303 must at a minimum bear a color depiction of the emblem of the appropriate branch of the United States armed forces.~~

~~[(b) License plates issued under Section 504.308(a) or 504.315(e), (f), or (g) must at a minimum bear a color depiction of the appropriate medal.~~

~~[(c)]~~ The department shall design military license plates that:

(1) bear a color depiction of the emblem of the appropriate branch of the United States armed forces or a color depiction of the appropriate medal as provided by the United States Department of Defense; and

(2) include the words "Honorably Discharged" for license plates issued to former members of the United States armed forces [~~to which this section applies in consultation with veterans organizations~~].

(5) In SECTION 234 of the bill (page 87, line 37), strike "This" and substitute "Except as otherwise provided by this Act, this".

(6) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 504.301, Transportation Code, is amended to read as follows:

Sec. 504.301. PROVISIONS GENERALLY APPLICABLE TO MILITARY SPECIALTY LICENSE PLATES. (a) Unless expressly provided by this subchapter or department rule:

(1) the department shall design specialty license plates for the military; and

(2) a person is not eligible to be issued a specialty license plate under this subchapter if the person was discharged from the armed forces under conditions less than honorable.

(b) Notwithstanding any other provision of this subchapter,

the department may design the wording on a specialty license plate authorized by this subchapter to enhance the legibility and reflectivity of the license plate.

SECTION \_\_\_\_\_. Subchapter D, Chapter 504, Transportation Code, is amended by adding Section 504.317 to read as follows:

Sec. 504.317. SURVIVING SPOUSES OF DISABLED VETERANS SPECIALTY LICENSE PLATES. (a) In this section, "surviving spouse" means the individual married to a disabled veteran at the time of the veteran's death.

(b) The department shall issue specialty license plates for surviving spouses of disabled veterans of the United States armed forces.

SECTION \_\_\_\_\_. (a) Section 504.501(b), Transportation Code, as effective September 1, 2011, is amended to read as follows:

(b) A person eligible for the license plates may instead use license plates that were issued by this state in the same year as the model year of the vehicle and are approved by the department [~~if the plates are approved for the vehicle before January 1, 2011~~]. The department may require the attachment of a registration insignia to the license plate in a manner that does not affect the display of information originally on the license plate.

(b) This section takes effect September 1, 2011.

SECTION \_\_\_\_\_. (a) Subchapter J, Chapter 504, Transportation Code, is amended by adding Section 504.855 to read as follows:

Sec. 504.855. EXPIRATION. This subchapter expires August 31, 2014.

(b) Notwithstanding the expiration of Subchapter J, Chapter 504, Transportation Code, the Texas Department of Motor Vehicles may continue to operate under the terms of a contract entered into before the expiration of Subchapter J, Chapter 504, Transportation Code, until the expiration date specified in the contract.

SECTION \_\_\_\_\_. (a) Subchapter H, Chapter 2302, Occupations Code, is amended by adding Section 2302.354 to read as follows:

Sec. 2302.354. ADMINISTRATIVE PENALTY. (a) The department may impose an administrative penalty against a person licensed under this chapter who violates this chapter or a rule or order adopted under this chapter.

(b) The penalty may not be less than \$50 or more than \$1,000, and each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty. The amount of the penalty shall be based on:

(1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;

(2) the economic harm caused by the violation;

(3) the history of previous violations;

(4) the amount necessary to deter a future violation;

(5) efforts to correct the violation; and

(6) any other matter that justice requires.

(c) The person may stay enforcement during the time the order is under judicial review if the person pays the penalty to the court clerk or files a supersedeas bond with the court in the amount of the penalty. A person who cannot afford to pay the penalty or file the bond may stay enforcement by filing an affidavit in the manner required by the Texas Rules of Civil Procedure for a party who cannot afford to file security for costs, subject to the right of the department to contest the affidavit as provided by those rules.

(d) A proceeding to impose an administrative penalty is subject to Chapter 2001, Government Code.

(b) Section 2302.354, Occupations Code, as added by this section, applies only to a violation of Chapter 2302, Occupations Code, or a rule or order of the Texas Department of Motor Vehicles adopted under that chapter, committed on or after the effective date of this section. A violation committed before the effective date of this section is governed by the law in effect when the violation was committed, and the former law is continued in effect for that purpose.

(c) This section takes effect September 1, 2011.