

## **BILL ANALYSIS**

H.B. 767  
By: King, Phil  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties are concerned that the fraudulent use and issuance of parking placards continues to be a problem in Texas despite the previous enactment of legislation to address and correct the problem. H.B. 767 seeks to implement additional measures to prevent the fraudulent issuance and use of disabled parking placards.

### **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. 767 amends the Occupations Code to include among the conditions under which a health care provider commits unprofessional conduct in connection with the provider's professional activities the condition that the provider knowingly makes a false or misleading statement in a notarized written statement to certify a person's eligibility to obtain a disabled parking placard for a person who is ineligible for the placard under certain Transportation Code provisions.

H.B. 767 amends the Transportation Code to make a person who violates statutory provisions relating to the improper use of privileged parking for persons with disabilities liable for a civil penalty, not to exceed \$750, to the political subdivision that designated the parking space or area specifically for persons with disabilities or that provided that those provisions apply to a parking space or area on private property.

H.B. 767 reenacts and amends Sections 681.011(h), (i), and (j), Transportation Code, as amended by Chapters 1160 (H.B. 3095) and 1336 (S.B. 52), Acts of the 81st Legislature, Regular Session, 2009, to increase the minimum and maximum fines for a subsequent conviction of an offense relating to the improper use of privileged parking for persons with disabilities as follows: from \$500 to \$750 the minimum fine and from \$800 to \$1,000 the maximum fine for a second conviction; from \$550 to \$1,000 the minimum fine and from \$800 to \$1,250 the maximum fine for a third conviction; and from \$800 to \$1,250 the minimum fine and from \$1,100 to \$1,500 the maximum fine for a fourth conviction.

H.B. 767 amends the Transportation Code, in a provision providing for a fine and 50 hours of community service for a person previously convicted four times of such an offense, to increase the fine from \$1,250 to \$1,500.

H.B. 767 requires the Governor's Committee on People with Disabilities to conduct a study to examine the improper use of disabled parking spaces, with an emphasis on improper use at large buildings and facilities, including stadiums and performing arts centers. The bill requires the committee, not later than December 31, 2014, to submit a written report containing the findings of the study together with the committee's recommendations to the legislature and the Texas Department of Licensing and Regulation.

**EFFECTIVE DATE**

September 1, 2013.