

## **BILL ANALYSIS**

Senate Research Center  
83R24064 JTS-F

H.B. 3769  
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Intergovernmental Relations  
5/13/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 3769 amends current law relating to the authority of a municipality to impose a civil penalty on owners of certain motor vehicles parked on a highway under the jurisdiction of the municipality that do not display a valid registration insignia or inspection certificate.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 502.003, Transportation Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Provides that this section does not affect the authority of a municipality to:

(1)-(2) Makes no change to these subdivisions; and

(3) except as provided by Subsection (b-1), impose, in addition to a criminal penalty, a civil penalty on the owner of a motor vehicle that:

(A) displays a license plate issued by the Texas Department of Motor Vehicles (TxDMV);

(B) is parked on a highway under the jurisdiction of the municipality; and

(C) does not display a valid registration insignia issued by TxDMV.

(b-1) Authorizes a civil penalty under Subsection (b)(3) to be enforced only by a person designated by the municipality specifically to enforce parking violations.

SECTION 2. Amends Section 548.602, Transportation Code, by adding Subsections (b-1) and (b-2) and amending Subsection (c), as follows:

(b-1) Authorizes the governing body of a municipality to enact an ordinance that allows the municipality to impose, in addition to a criminal penalty, a civil penalty on the owner of a motor vehicle that displays a license plate issued by TxDMV; is parked on a highway under the jurisdiction of the municipality; and does not display a valid inspection certificate issued under this chapter.

(b-2) Authorizes a civil penalty under Subsection (b-1) to be enforced only by a person designated by the municipality specifically to enforce parking violations.

(c) Provides that it is a defense to prosecution under Subsection (a)(1) (relating to prohibiting a person from operating a motor vehicle registered in this state unless a current and appropriate inspection certificate is displayed, after the fifth day after the date

of expiration of the period designated for inspection) or to the imposition of a civil penalty that an inspection certificate for the vehicle is in effect at the time of the arrest.

SECTION 3. Effective date: September 1, 2013.