

By: Guillen

H.B. No. 77

Substitute the following for H.B. No. 77:

By: Davis of Dallas

C.S.H.B. No. 77

A BILL TO BE ENTITLED

AN ACT

1 relating to the verification of motor vehicle financial
2 responsibility information.
3

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

5 SECTION 1. Section 601.053, Transportation Code, is amended
6 by amending Subsection (c) and adding Subsections (d), (e), and (f)
7 to read as follows:

8 (c) Subsection (b) does not apply if the peace officer
9 determines through use of the verification program established
10 under Subchapter N that financial responsibility has been
11 established for the vehicle. If a peace officer has access to the
12 verification program, the officer may not issue a citation for a
13 violation of Section 601.051 unless the officer attempts to verify
14 through the program that financial responsibility has been
15 established for the vehicle and is unable to make that
16 verification.

17 (d) An operator required to provide evidence of financial
18 responsibility under Subsection (a) may provide the evidence of
19 financial responsibility in electronic format displayed on a
20 wireless communication device or other portable electronic device.

21 (e) The display of an image that includes financial
22 responsibility information on a wireless communication device or
23 other portable electronic device under Subsection (d) does not
24 constitute effective consent for a law enforcement officer, or any

1 other person, to access the contents of the wireless communication
2 device or other portable electronic device except to view the
3 financial responsibility information.

4 (f) A telecommunications provider, as defined by Section
5 51.002, Utilities Code, may not be held liable to the operator of
6 the motor vehicle for the failure of a wireless communication
7 device to display financial responsibility information under
8 Subsection (d).

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2013.