

By: Hegar, West

S.B. No. 181

A BILL TO BE ENTITLED

AN ACT

relating to the use of a wireless communication device to provide evidence of motor vehicle financial responsibility.

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

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

(a) As a condition of operating in this state a motor vehicle to which Section 601.051 applies, the operator of the vehicle on request shall provide to a peace officer, as defined by Article 2.12, Code of Criminal Procedure, or a person involved in an accident with the operator evidence of financial responsibility by exhibiting:

(1) a motor vehicle liability insurance policy covering the vehicle that satisfies Subchapter D or a photocopy of the policy;

(2) a standard proof of motor vehicle liability insurance form prescribed by the Texas Department of Insurance under Section 601.081 and issued by a liability insurer for the motor vehicle;

(2-a) an image displayed on a wireless communication device that includes the information required by Section 601.081 as provided by a liability insurer;

(3) an insurance binder that confirms the operator is

1 in compliance with this chapter;

2 (4) a surety bond certificate issued under Section
3 601.121;

4 (5) a certificate of a deposit with the comptroller
5 covering the vehicle issued under Section 601.122;

6 (6) a copy of a certificate of a deposit with the
7 appropriate county judge covering the vehicle issued under Section
8 601.123; or

9 (7) a certificate of self-insurance covering the
10 vehicle issued under Section 601.124 or a photocopy of the
11 certificate.

12 (d) The display of an image that includes financial
13 responsibility information on a wireless communication device
14 under Subsection (a)(2-a) does not constitute effective consent for
15 a law enforcement officer, or any other person, to access the
16 contents of the wireless communication device except to view the
17 financial responsibility information.

18 (e) The authorization of the use of a wireless communication
19 device to display financial responsibility information under
20 Subsection (a)(2-a) does not prevent:

21 (1) a court of competent jurisdiction from requiring a
22 person to provide a paper copy of the person's evidence of financial
23 responsibility in a hearing or trial or in connection with
24 discovery proceedings; or

25 (2) the commissioner of insurance from requiring a
26 person to provide a paper copy of the person's evidence of financial
27 responsibility in connection with any inquiry or transaction

1 conducted by or on behalf of the commissioner.

2 (f) A telecommunications provider, as defined by Section
3 51.002, Utilities Code, may not be held liable to the operator of
4 the motor vehicle for the failure of a wireless communication
5 device to display financial responsibility information under
6 Subsection (a)(2-a).

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