

AN ACT

relating to verification of motor vehicle financial responsibility information.

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

SECTION 1. Section 601.053, Transportation Code, is amended by amending Subsections (a) and (c) 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 (c) Subsection (b) does not apply if the peace officer  
13 determines through use of the verification program established  
14 under Subchapter N that financial responsibility has been  
15 established for the vehicle. If a peace officer has access to the  
16 verification program, the officer may not issue a citation for a  
17 violation of Section 601.051 unless the officer attempts to verify  
18 through the program that financial responsibility has been  
19 established for the vehicle and is unable to make that  
20 verification.

21 (d) The display of an image that includes financial  
22 responsibility information on a wireless communication device  
23 under Subsection (a)(2-a) does not constitute effective consent for  
24 a law enforcement officer, or any other person, to access the  
25 contents of the wireless communication device except to view the  
26 financial responsibility information.

27 (e) The authorization of the use of a wireless communication

1 device to display financial responsibility information under  
2 Subsection (a)(2-a) does not prevent:

3 (1) a court of competent jurisdiction from requiring a  
4 person to provide a paper copy of the person's evidence of financial  
5 responsibility in a hearing or trial or in connection with  
6 discovery proceedings; or

7 (2) the commissioner of insurance from requiring a  
8 person to provide a paper copy of the person's evidence of financial  
9 responsibility in connection with any inquiry or transaction  
10 conducted by or on behalf of the commissioner.

11 (f) A telecommunications provider, as defined by Section  
12 51.002, Utilities Code, may not be held liable to the operator of  
13 the motor vehicle for the failure of a wireless communication  
14 device to display financial responsibility information under  
15 Subsection (a)(2-a).

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 181 passed the Senate on April 4, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 9, 2013, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 181 passed the House, with amendment, on May 2, 2013, by the following vote: Yeas 147, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor