

1-1 By: Hegar S.B. No. 181  
 1-2 (In the Senate - Filed January 16, 2013; January 29, 2013,  
 1-3 read first time and referred to Committee on Transportation;  
 1-4 March 25, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 25, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 181 By: Paxton

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the use of a wireless communication device to provide  
 1-22 evidence of motor vehicle financial responsibility.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 601.053, Transportation Code, is amended  
 1-25 by amending Subsection (a) and adding Subsections (d), (e), and (f)  
 1-26 to read as follows:

1-27 (a) As a condition of operating in this state a motor  
 1-28 vehicle to which Section 601.051 applies, the operator of the  
 1-29 vehicle on request shall provide to a peace officer, as defined by  
 1-30 Article 2.12, Code of Criminal Procedure, or a person involved in an  
 1-31 accident with the operator evidence of financial responsibility by  
 1-32 exhibiting:

1-33 (1) a motor vehicle liability insurance policy  
 1-34 covering the vehicle that satisfies Subchapter D or a photocopy of  
 1-35 the policy;

1-36 (2) a standard proof of motor vehicle liability  
 1-37 insurance form prescribed by the Texas Department of Insurance  
 1-38 under Section 601.081 and issued by a liability insurer for the  
 1-39 motor vehicle;

1-40 (2-a) an image displayed on a wireless communication  
 1-41 device that includes the information required by Section 601.081 as  
 1-42 provided by a liability insurer;

1-43 (3) an insurance binder that confirms the operator is  
 1-44 in compliance with this chapter;

1-45 (4) a surety bond certificate issued under Section  
 1-46 601.121;

1-47 (5) a certificate of a deposit with the comptroller  
 1-48 covering the vehicle issued under Section 601.122;

1-49 (6) a copy of a certificate of a deposit with the  
 1-50 appropriate county judge covering the vehicle issued under Section  
 1-51 601.123; or

1-52 (7) a certificate of self-insurance covering the  
 1-53 vehicle issued under Section 601.124 or a photocopy of the  
 1-54 certificate.

1-55 (d) The display of an image that includes financial  
 1-56 responsibility information on a wireless communication device  
 1-57 under Subsection (a)(2-a) does not constitute effective consent for  
 1-58 a law enforcement officer, or any other person, to access the  
 1-59 contents of the wireless communication device except to view the  
 1-60 financial responsibility information.

2-1           (e) The authorization of the use of a wireless communication  
2-2 device to display financial responsibility information under  
2-3 Subsection (a)(2-a) does not prevent:

2-4           (1) a court of competent jurisdiction from requiring a  
2-5 person to provide a paper copy of the person's evidence of financial  
2-6 responsibility in a hearing or trial or in connection with  
2-7 discovery proceedings; or

2-8           (2) the commissioner of insurance from requiring a  
2-9 person to provide a paper copy of the person's evidence of financial  
2-10 responsibility in connection with any inquiry or transaction  
2-11 conducted by or on behalf of the commissioner.

2-12           (f) A telecommunications provider, as defined by Section  
2-13 51.002, Utilities Code, may not be held liable to the operator of  
2-14 the motor vehicle for the failure of a wireless communication  
2-15 device to display financial responsibility information under  
2-16 Subsection (a)(2-a).

2-17           SECTION 2. This Act takes effect immediately if it receives  
2-18 a vote of two-thirds of all the members elected to each house, as  
2-19 provided by Section 39, Article III, Texas Constitution. If this  
2-20 Act does not receive the vote necessary for immediate effect, this  
2-21 Act takes effect September 1, 2013.

2-22

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