

By: Rodriguez of Travis

H.B. No. 3050

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the modification of a motor vehicle to emit soot, smoke,  
3 or other particulate matter; creating an offense; imposing an  
4 administrative penalty.

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

6 SECTION 1. Subchapter F, Chapter 548, Transportation Code,  
7 is amended by adding Section 548.305 to read as follows:

8 Sec. 548.305. MODIFICATION OF MOTOR VEHICLE TO EMIT SOOT,  
9 SMOKE, OR OTHER PARTICULATE MATTER. (a) The registered owner of a  
10 diesel-powered motor vehicle commits an offense if the owner  
11 modifies or causes to have modified the motor vehicle in a manner  
12 that the owner knows or should know will increase the motor  
13 vehicle's capacity to emit soot, smoke, or other particulate  
14 matter.

15 (b) The operator of a diesel-powered motor vehicle commits  
16 an offense if the operator intentionally or knowingly uses a  
17 modification described by Subsection (a) to release a significant  
18 quantity of soot, smoke, or other particulate matter while  
19 operating the vehicle on a public street, road, or highway.

20 (c) An offense under this section is a Class C misdemeanor.

21 SECTION 2. Section 548.3065(c-1), Transportation Code, is  
22 amended to read as follows:

23 (c-1) The conservation commission may impose an  
24 administrative penalty on a person:

1           (1) in the amount of not more than \$500 for each  
2 violation of this subchapter or a rule adopted by the conservation  
3 commission under this subchapter; or

4           (2) in the amount of not more than \$2,500 for a  
5 violation of Section 548.305.

6           SECTION 3. This Act takes effect September 1, 2015.