FLOOR AMENDMENT NO._____   2019 MAY 13 AM 9: 56 BY: Reddic

1   Amend C.S.S.B. No. 604 (house committee printing) by adding

2   the following appropriately numbered ARTICLE to the bill and

3   renumbering subsequent ARTICLES and SECTIONS of the bill

4   accordingly:

5   ARTICLE __. DIGITAL LICENSE PLATES

6   SECTION _.01. Chapter 504, Transportation Code, is amended

7   by adding Subchapter B-1 to read as follows:

8   SUBCHAPTER B-1. DIGITAL LICENSE PLATES

9   Sec. 504.151. DEFINITIONS. In this subchapter:

10   (1) "Digital license plate" means an electronic display

11   that is designed to:

12   (A) display the information required to be

13   included on a physical license plate; and

14   (B) be placed on the rear of a vehicle registered

15   under Chapter 502 in lieu of a physical license plate issued under

16   this chapter.

17   (2) "Digital license plate provider" means a person

18   engaged in the business of providing digital license plate hardware

19   and services to vehicle owners, including the sale or lease of and

20   issuance of digital license plates.

21   Sec. 504.152. APPLICABILITY OF OTHER LAW.   Except as

22   otherwise provided by this subchapter or a rule adopted under this

23   subchapter, a digital license plate issued under this subchapter

24   is subject to the laws of this state applicable to a physical

25   license plate.

26   Sec. 504.153. RULES.   The board shall adopt rules as

27   necessary to implement and administer this subchapter.

28   Sec. 504.154. DIGITAL LICENSE PLATES AUTHORIZED.   (a) The

29   board by rule shall allow a vehicle registered under Chapter 502

                            1   19.133.12 AAF

1 to be equipped with a digital license plate that is placed on the

2 rear of the vehicle in lieu of a physical license plate issued

3 under this chapter. The rule must require the owner of a vehicle

4 issued a digital license plate to obtain a physical license plate

5 to be placed on the front of the vehicle unless the vehicle is of

6 a class of vehicles that is not required to display two license

7 plates, as provided by other law.

8   (b) The department may contract with digital license plate

9 providers for the issuance of digital license plates, including

10 any services related to the issuance of digital license plates.

11   (c) Notwithstanding any other law, a rule adopted under this

12 subchapter may:

13   (1) authorize the display of the vehicle's registration

14 insignia on a digital license plate issued for the vehicle in lieu

15 of attaching the registration insignia to the inside of the

16 vehicle's windshield as required by Section 502.059;

17   (2) establish a fee in an amount necessary to cover any

18 administrative costs incurred that relate to the issuance of a

19 digital license plate and exceed the administrative costs incurred

20 for the issuance of a physical license plate; or

21   (3) prohibit a digital license plate provider from

22 contracting with the department under Subchapter J.

23   Sec. 504.155. DIGITAL LICENSE PLATES REQUIREMENTS AND

24 PERMISSIVE FUNCTIONALITY. (a) The board by rule shall set the

25 specifications and requirements for digital license plates,

26 including requirements for the placement of digital license

27 plates. The design of and information displayed on a digital

28 license plate must be approved by the department.

29   (b) A digital license plate issued under this subchapter

30 must:

31   (1) meet the specifications and requirements adopted

1 under Subsection (a);

2 (2) include the information required to be included on

3 a physical license plate and legibly display that information at

4 all times and in all light conditions, provided that the license

5 plate may display the information in a smaller typeface when the

6 vehicle is parked; and

7 (3) have wireless connectivity capability.

8 (c) In adopting rules under Subsection (a), the board shall

9 consult with the Department of Public Safety. Except as otherwise

10 provided by this subsection and Section 2001.036, Government Code,

11 a rule adopted under Subsection (a) takes effect on the 31st day

12 after the date on which the rule is filed in the office of the

13 secretary of state. A rule adopted under Subsection (a) does not

14 take effect if, not later than the 30th day after the date on which

15 the rule is filed in the office of the secretary of state, the

16 public safety director of the Department of Public Safety submits

17 to the office of the secretary of state written notification

18 invalidating the rule.

19 (d) A rule adopted under this subchapter may:

20 (1) authorize the use of a digital license plate for

21 electronic toll collection or to display a parking permit; or

22 (2) establish procedures for displaying on a digital

23 license plate:

24 (A) an emergency alert or other public safety

25 alert issued by a governmental entity, including an alert

26 authorized under Subchapter L, M, or P, Chapter 411, Government

27 Code;

28 (B) vehicle manufacturer safety recall notices;

29 (C) static logo displays, including unique

30 displays for fleet vehicles; or

31 (D) advertising approved by the department.

19.133.12 AAF

1   Sec. 504.156. DIGITAL LICENSE PLATE PROVIDER POWERS AND

2   DUTIES. A digital license plate provider with whom the department

3   contracts under Section 504.154:

4   (1) shall maintain an inventory of the digital license

5   plates issued by the provider in this state;

6   (2) shall make available a digital version of each

7   specialty license plate authorized by this chapter, other than

8   personalized license plates authorized for marketing and sale

9   under Subchapter J, provided that:

10   (A) each issuance of a specialty license plate

11   with restricted distribution, including a license plate authorized

12   under Subchapter C, D, E, or F, must be approved by the department;

13   and

14   (B) the provider shall remit to the department in

15   the manner prescribed by the department all money:

16   (i) payable to the department; or

17   (ii) required to be used or deposited in the

18   manner prescribed by the law establishing the license plate;

19   (3) may contract with the private vendor under

20   Subchapter J to make available a digital version of a personalized

21   license plate authorized for marketing and sale under that

22   subchapter, provided that the contract shall conform with any

23   applicable requirements of Subchapter J and the terms of the

24   private vendor's contract with the department;

25   (4) shall, if a digital license plate displays a

26   registration insignia as authorized by a rule adopted under Section

27   504.154(c)(1), promptly update the display of the registration

28   insignia to reflect the current registration period for the vehicle

29   and, on request of the department, suspend the display of the

30   registration insignia or indicate on the license plate that the

31   registration insignia for the vehicle is expired;

1   (5) may provide any service related to the issuance of

2   a digital license plate that is authorized by board rule, including

3   the sale, lease, and installation of and customer service for a

4   digital license plate; and

5   (6) may charge a fee, payable in installments, for the

6   issuance of a digital license plate or any additional services

7   provided by the provider for that license plate.

8   Sec. 504.157. DEFENSE TO PROSECUTION OF CERTAIN OFFENSES.

9   It is a defense to prosecution of an offense involving the

10   operation of a motor vehicle and relating to the placement of a

11   license plate or the display of a registration insignia that the

12   vehicle was operated in compliance with rules issued under this

13   subchapter governing the placement of a digital license plate or

14   the display of a registration insignia on a digital license plate,

15   as applicable.

16   SECTION _.02. Not later than December 31, 2019, the board of

17   the Texas Department of Motor Vehicles shall adopt the rules

18   required by Subchapter B-1, Chapter 504, Transportation Code, as

19   added by this Act, and any other rules necessary to implement and

20   administer that subchapter.

19.133.12 AAF