

## **BILL ANALYSIS**

Senate Research Center  
88R6176 MZM-D

S.B. 653  
By: Blanco; Campbell  
Veteran Affairs  
3/31/2023  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2021, the legislature passed S.B. 792, which required anyone parking in a disabled parking space to have a license plate or a placard containing the International Symbol of Access leaving many disabled veterans who are also mobility impaired subject to hefty fines.

S.B. 653 will create a three-tiered offense system for violating S.B. 792. The first offense is a fine of not less than \$25 or more than \$200 or not more than 10 hours of community service. The second offense is a fine of not less than \$200 or more than \$400 or no less than 10 hours or more than 20 hours of community service if the person was previously convicted of or cited for the same offense. The third offense would be a fine of not less than \$450 or more than \$750 or no less than 20 hours or more than 30 hours of community service if the person has previously been convicted twice of the same offense. S.B. 653 will also allow the citation to be dismissed if the offender has not been convicted and applies for a specialty license plate containing the International Symbol of Access within six months after the offense date.

As proposed, S.B. 653 amends current law relating to certain offenses regarding parking privileges of veterans with disabilities.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 681.011, Transportation Code, by adding Subsections (m), (n), and (o), as follows:

(m) Provides that Subsections (n) and (o) apply only to a person who commits an offense under Subsection (b) (relating to providing that an offense is committed of certain license plates or placards are not displayed in certain parking spaces) when the vehicle displays special license plates issued under a Section 504.202 (Veterans With Disabilities) other than special license plates issued under Section 504.202(b-1) (relating to authorizing eligible persons to receive a license plate with a designated symbol), and does not display a disabled parking placard.

(n) Provides that an offense described by Subsection (m), notwithstanding Subsections (g) (relating to providing that an offense is a misdemeanor with an exception)-(k) (relating to providing the penalty for a fifth conviction), is a misdemeanor punishable by a fine of not less than \$25 or more than \$200 or not more than 10 hours of community service, except that:

(1) if the person has previously been convicted one time of an offense described by Subsection (m) or received a dismissal under Subsection (o), the offense is punishable by:

(A) a fine of not less than \$200 or more than \$400; or

(B) not less than 10 hours or more than 20 hours of community service;  
and

(2) if the person has previously been convicted two times of an offense described by Subsection (m) or if the person has previously received a dismissal under Subsection (o) and previously been convicted one time of an offense described by Subsection (m), the offense is punishable by:

(A) a fine of not less than \$400 or more than \$750; or

(B) not less than 20 hours or more than 30 hours of community service.

(o) Requires the court to dismiss a charge for an offense described by Subsection (m) if the person:

(1) has not been previously convicted of an offense described by that subsection;

(2) has not previously received a dismissal under this subsection; and

(3) submits an application for a specialty license plate that includes the symbol described by Section 504.201(f) (relating to requiring certain license plates to include a certain symbol of access) within six months after the date the person was charged with the offense.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.