

BILL ANALYSIS

Senate Research Center

H.B. 1048
By: Gutierrez (Armbrister)
State Affairs
5-14-97
Engrossed

DIGEST

Currently, the use of counterfeit safety inspection certificates and vehicle registration documentation is rampant in certain regions of the state. These fictitious items are relatively easy to reproduce and difficult to identify from a distance. In addition, it is usually less expensive to purchase counterfeit documentation than it is to buy the real stickers or insignias. This bill sets forth provisions which will penalize the perpetrators of certain fraudulent activities concerning license plates, registration insignia, or safety inspection certificates.

PURPOSE

As proposed, H.B. 1048 sets forth provisions regarding civil and criminal consequences of a conviction for offenses involving fictitious motor vehicle license plates, registration insignia, or safety inspection certificates.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 502.409, Transportation Code, by amending Subsection (b) and adding Subsection (f), to provide that an offense under Subsection (a)(4) is a Class B misdemeanor. Makes a conforming change.

SECTION 2. Amends Section 548.603, Transportation Code, by adding Subsection (f), to provide that an offense under Subsection (a)(1) that involves a fictitious inspection certification is a Class B misdemeanor.

SECTION 3. Amends Section 521.343(a), Transportation Code, to add Section 521.3465 to a list of exceptions to a suspension under this subchapter for one year.

SECTION 4. Amends Chapter 521O, Transportation Code, by adding Sections 521.3465 and 521.3466, as follows:

Sec. 521.3465. AUTOMATIC SUSPENSION ON CONVICTION OF CERTAIN OFFENSES INVOLVING FICTITIOUS MOTOR VEHICLE LICENCE PLATES, REGISTRATION INSIGNIA, OR SAFETY INSPECTION CERTIFICATES. Provides that a license is automatically suspended on final conviction of the license holder of certain offenses under Section 502.409(a)(4) or 548.603(a)(1). Sets forth provisions regarding a suspension.

Sec. 521.3466. AUTOMATIC REVOCATION FOR OFFENSE INVOLVING CERTAIN FRAUDULENT GOVERNMENTAL RECORDS. Sets forth provisions regarding a revocation of a license under certain conditions.

SECTION 5. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 6. Emergency clause.