

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1273
By: Farias; Guillen (Uresti)
Transportation
5/18/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1273 awards specialty license plates for individuals' service in Korea, the Republic of Vietnam, and in a support of Operation Desert Shield, Desert Storm, and Provide Comfort. There is a lack of clarity in the eligibility requirements for the issuance of specialty license plates to certain veterans and that, as a consequence, these deserving veterans are not assured of receiving specialty plates. Current law uses dates of service for Korean War veterans, Vietnam veterans, and Desert Shield and Desert Storm veterans to establish eligibility.

H.B. 1273 seeks to reduce the confusion surrounding this issue and to assure that specialty license plates are awarded to qualified veterans by using Department of Defense Manual 1348. This manual describes the various Defense awards and the basis and eligibility requirements for the award. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 1273 amends current law relating to certain military specialty license plates.

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 504.202(e-1), Transportation Code, to authorize license plates issued under this section, other than license plates issued under Subsection (h) (authorizing a person entitled to license plates under this section to elect to receive license plates issued under Chapter 502 under the same conditions for the issuance of license plates under this section), to include, on request, the emblem of the veteran's branch of service, or one emblem from another license plate to which the person is entitled under certain sections, including Section 504.311, 504.312, 504.313, 504.3135 (Operation Iraqi Freedom), 504.314 (Enduring Freedom Veterans), and 504.318 (Woman Veterans).

SECTION 2. Amends Section 504.3015 (b), Transportation Code, as follows:

(b) Provides that the fee for the issuance of one set of specialty license plates issued under Section 504.315(d) (requiring the Texas Department of Motor Vehicles (TxDMV) to issue specialty license plates for survivors of the attack on Pearl Harbor on December 7, 1941, and requiring that the plates include the words "Pearl Harbor Survivor") or (g) (requiring TxDMV to issue specialty license plates for recipients of the Purple Heart), rather than under Section 504.315(c) (requiring TxDMV to issue specialty license plates for a person who was captured and incarcerated by an enemy of the United States during a period of conflict with the United States and requires that the license plates show that the recipient is a former prisoner of war), (d), or (g), is \$3. Provides that there is no additional fee for a specialty license plate issued under another provision of this subchapter.

SECTION 3. Amends Section 504.311, Transportation Code, as follows:

Sec. 504.311. New heading: SERVICE IN KOREA. (a) Creates this subsection from existing text. Requires TxDMV to issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on June 27, 1950, and ending on July 27, 1954, and who received the National Defense Service Medal;

(2) in a combat zone in Korea during the period beginning on June 27, 1950, and ending on July 27, 1954, and who received the Korean Service Medal; or

(3) in the Korean Demilitarized Zone beginning on July 28, 1954, and who received the Korean Defense Service Medal.

Deletes existing text requiring TxDMV to issue specialty license plates for persons who served in the United States armed forces after June 26, 1950, and before February 1, 1955.

(b) Requires that license plates issued under this section include the words "Korea Veteran" and bear a depiction of the appropriate medal. Creates this subsection from existing text and makes a nonsubstantive change.

SECTION 4. Amends Section 504.312, Transportation Code, as follows:

Sec. 504.312. VIETNAM VETERANS. (a) Requires TxDMV to issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on January 1, 1961, and ending on August 14, 1974, and who received the National Defense Service Medal; or

(2) in a combat zone in the Republic of Vietnam during the period beginning on July 1, 1958, and ending on March 28, 1973, and who received the Vietnam Service Medal.

Deletes existing text requiring TxDMV to issue specialty license plates for persons who served in the United States armed forces during the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, or the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.

(b) Requires that license plates issued under this section include the words "Vietnam Veteran" and bear a depiction of the appropriate medal. Makes a nonsubstantive change.

SECTION 5. Amends Section 504.313, Transportation Code, as follows:

Sec. 504.313. DESERT SHIELD OR DESERT STORM VETERANS. (a) Creates this subsection from existing text. Requires TxDMV to issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on August 2, 1990, and ending on November 30, 1995, and who received the National Defense Service Medal; or

(2) in a combat zone in support of Operation Desert Shield or Desert Storm during the period beginning on August 2, 1990, and ending on November 30, 1995, and who received the Southwest Asia Service Medal.

Deletes existing text requiring TxDMV to issue specialty license plates for persons who served in the United States armed forces after August 1, 1990, and before April 12, 1991.

(b) Requires that license plates issued under this section include the words "Desert Shield/Storm/Provide Comfort" and bear a depiction of the appropriate medal. Creates this subsection from existing text and makes a nonsubstantive change.

SECTION 6. Amends Section 504.315, Transportation Code, by adding Subsection (j), as follows:

(j) Requires TxDMV to issue specialty license plates for recipients of the Prisoner of War Medal. Requires that license plates issued under this subsection include the Prisoner of War Medal emblem and include the words "Prisoner of War Medal" at the bottom of each plate.

SECTION 7. Repealer: Section 504.315(c) (requiring TxDMV to issue specialty license plates for a person who was captured and incarcerated by an enemy of the United States during a period of conflict with the United States and requires that the license plates show that the recipient is a former prisoner of war), Transportation Code.

SECTION 8. Provides that TxDMV is not required to issue specialty license plates under Sections 504.311, 504.312, 504.313, and 504.315, Transportation Code, as amended by this Act, until January 1, 2016.

SECTION 9. Effective date: September 1, 2015.