

BILL ANALYSIS

Senate Research Center
86R5708 TSS-F

H.B. 2835
By: Canales (Alvarado)
Transportation
5/16/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 502.407, Transportation Code, makes it an offense for a person to operate a motor vehicle on a public highway more than five days after the expiration of that vehicle's registration or if a valid registration insignia is not affixed to the vehicle. Concerned parties have suggested that it is reasonable to allow people more time to register their vehicles should the county assessor-collector's office be closed for an extended period, such as during a natural disaster.

H.B. 2835 would establish a defense to prosecution for the offense of operating a vehicle with an expired registration if, at the time of the offense, the office of the county assessor-collector was closed for a protracted period of time and the vehicle's registration had been expired for less than 30 working days.

The bill would take effect September 1, 2019, and would apply only to an offense committed on or after that date.

H.B. 2835 amends current law relating to a defense to prosecution for the criminal offense of operating a vehicle with an expired license plate.

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 502.407, Transportation Code, by adding Subsection (c), as follows:

(c) Provides that it is a defense to prosecution under this section (Operation of Vehicle With Expired License Plate) that at the time of the offense:

(1) the office of the county assessor-collector for the county in which the owner of the vehicle resided was closed for a protracted period of time in accordance with Section 502.040(b)(2) (relating to requiring the application to be accompanied by personal identification as determined by Texas Department of Motor Vehicles (TxDMV) rule and made in a manner prescribed by TxDMV if the office of that assessor-collector is closed, or may be closed for a protracted period of time, as defined by TxDMV rule, through a county assessor-collector who is willing to accept the application); and

(2) the vehicle's registration was expired for 30 working days or less.

SECTION 2. Makes application of this Act prospective. Provides that, for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. Effective date: September 1, 2019.