

## **BILL ANALYSIS**

Senate Research Center

S.B. 792  
By: Campbell  
Veteran Affairs & Border Security  
5/26/2021  
Enrolled

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

Currently any person with a disabled veteran license plate may utilize handicapped parking regardless of whether or not they are mobility impaired. Organizations such as the Paralyzed Veterans of America and Disabled American Veterans have asked for this to be changed as it has often led to a lack of handicapped parking, especially at Veterans Administration facilities.

This bill changes the law to require that anyone parking in a disabled parking space must have a license plate or a placard which features the International Symbol of Access.

S.B. 792 amends current law relating to specialty license plates and parking placards for vehicles of certain disabled veterans.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 2 (Section 504.202, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 502.410(b), Transportation Code, to provide that Subsection (a) (relating to providing that a person commits an offense if the person knowingly engages in falsification or forgery) does not apply to a statement or application filed or given under certain sections, including Section 504.202(b-1).

SECTION 2. Amends Section 504.202, Transportation Code, by adding Subsections (b-1), (b-2), and (k) and amending Subsections (g) and (j), as follows:

(b-1) Authorizes a person described by Subsection (b) (relating to providing that a veteran of the United States armed forces is entitled to register, for the person's own use, motor vehicles if certain conditions are met) who is eligible to receive license plates under Section 504.201 (Persons with Disabilities) to elect to receive license plates under Section 504.202 (Veterans with Disabilities) that include the symbol described by Section 504.201(f) (relating to requiring certain license plates to include the symbol of access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the Disabled). Requires that the initial application for license plates under this subsection be accompanied by:

(1) the written statement required by Section 504.201(d) (relating to requiring that the initial application for specialty license plates be accompanied by a written statement from a licensed physician), unless the applicant is an organization described by Subsection (b-2); and

(2) any other information required for an application under Section 504.202.

(b-2) Authorizes an organization that registers a motor vehicle under Subsection (c) (relating to authorizing an organization to register a motor vehicle if certain conditions apply) to elect to receive license plates under Subsection (b-1) if the vehicle regularly transports veterans who are eligible to receive license plates under Subsection (b-1).

Requires the Texas Department of Motor Vehicles (TxDMV) to adopt rules prescribing satisfactory proof of eligibility under this subsection.

(g) Authorizes a person who receives license plates under Subsection (b-1), rather than under Section 504.202, to receive a disabled parking placard under Section 681.004 (Issuance of Parking Placard; Expiration) for each set of license plates. Deletes existing text authorizing a person to receive a disabled parking placard without providing additional documentation.

(j) Authorizes a person entitled to license plates under Section 504.202 to instead use, for a vehicle that meets the requirements of Section 504.501 (Classic Motor Vehicles and Travel Trailers; Custom Vehicles; Street Rods) or 504.502 (Certain Exhibition Vehicles), disabled veteran license plates issued by this state that:

(1)-(3) makes nonsubstantive changes to these subdivisions; and

(4) include the symbol described by Section 504.201(f), if the person satisfies the requirements for the issuance of license plates under Subsection (b-1) and elects to include the symbol on the plates.

(k) Provides that a reference in law to license plates issued under Subsection (b-1) includes disabled veteran license plates described by Subsection (j)(4).

SECTION 3. Amends Section 681.004(a), Transportation Code, to authorize a person with a permanent disability to receive a certain number of disabled parking placards depending on different criteria, including two disabled parking placards, if the person receives two sets of special license plates under Section 504.202(b-1), rather than under Section 504.202.

SECTION 4. Amends Section 681.008(a), Transportation Code, as follows:

(a) Authorizes a vehicle to be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities if the vehicle displays special license plates issued under Section 504.202(b-1) and is being operated by or for the transportation of the person to whom the plates were issued, rather than if the vehicle is being operated by or for the transportation of the person who registered the vehicle under Section 504.202(a) or a person described by Section 504.202(b) if the vehicle is registered under that subsection. Makes conforming and nonsubstantive changes.

SECTION 5. Amends Section 681.009(e), Transportation Code, to make a conforming change.

SECTION 6. Amends Sections 681.011(a), (b), and (l), Transportation Code, to make conforming changes.

SECTION 7. Requires TxDMV, not later than December 1, 2021, to adopt rules for issuing specialty license plates under Section 504.202(b-1), Transportation Code, as added by this Act.

SECTION 8. Makes application of this Act prospective.

SECTION 9. (a) Effective date, except as provided by Subsection (b) of this section: January 1, 2022.

(b) Effective date, Section 7 of this Act: September 1, 2021.