

AN ACT

relating to the prohibition of the manufacture, sale, or possession of a counterfeit disabled parking placard; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 681, Transportation Code, is amended by adding Section 681.0111 to read as follows:

Sec. 681.0111. MANUFACTURE, SALE, POSSESSION, OR USE OF COUNTERFEIT PLACARD. (a) A person commits an offense if, without the department's authorization, the person manufactures, sells, or possesses a placard that is deceptively similar to a disabled parking placard.

(b) A person commits an offense if the person knowingly parks a vehicle displaying a counterfeit placard in a parking space or area designated specifically for persons with disabilities.

(c) An offense under Subsection (a) is a Class A misdemeanor. An offense under Subsection (b) is a Class C misdemeanor.

(d) For purposes of this section, a placard is deceptively similar to a disabled parking placard if the placard is not a genuine disabled parking placard but a reasonable person would presume that it is a genuine disabled parking placard.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is

1 covered by the law in effect when the offense was committed, and the  
2 former law is continued in effect for that purpose. For the purposes  
3 of this section, an offense was committed before the effective date  
4 of this Act if any element of the offense occurred before that date.

5 SECTION 3. This Act takes effect September 1, 2003.

David Dewhurst

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 148 was passed by the House on March 28, 2003, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 148 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Letsy Law

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30pm O'CLOCK

JUN 20 2003  
Ann Shea  
Secretary of State