

BILL ANALYSIS

Senate Research Center

S.B. 52
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Transportation & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Surveys conducted in major Texas cities indicate that between 30 and 65 percent of vehicles parked at meters or in accessible parking spots designated for persons with disabilities at any given time are illegally parked. This not only inconveniences persons with disabilities, but also has the potential to result in harm to such persons.

S.B. 52 amends current law relating to the penalties for the illegal use of a parking space or area designated specifically for persons with disabilities and to the unauthorized use of a disabled parking placard.

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 Sections 681.011(h)-(k), Transportation Code, as follows:

(h) Provides that if it is shown on the trial of an offense under this section that the person has been previously convicted one time of an offense under this section, the offense is punishable by a fine of not less than \$500 or more than \$800 and 10 hours of community service, rather than a fine of not less than \$300 or more than \$600.

(i) Provides that if it is shown on the trial of an offense under this section that the person has been previously convicted two times of an offense under this section, the offense is punishable by a fine of not less than \$550 or more than \$800, rather than a fine of not less than \$300 or more than \$600, and 20 hours of community service, rather than not less than 10 or more than 20 hours of community service.

(j) Provides that if it is shown on the trial of an offense under this section that the person has been previously convicted three times of an offense under this section, the offense is punishable by a fine of not less than \$800 or more than \$1,100, rather than a fine of not less than \$500 or more than \$1,000, and 30 hours of community service, rather than not less than 20 or more than 50 hours community service.

(k) Provides that if it shown on the trial of an offense under this section that the person has been previously convicted four times of an offense under this section, the offense is punishable by a fine of \$1,250, rather than \$1,000, and 50 hours of community service.

SECTION 2. Amends Section 681.012, Transportation Code, by adding Subsections (a-1) and (a-2) and amending Subsection (b), as follows:

(a-1) Authorizes a peace officer to seize a disabled parking placard from a person who operates a vehicle on which a disabled parking placard is displayed if the peace officer determines by inspecting the person's driver's license or personal identification certificate that the disabled parking placard does not contain the first four digits of the driver's license number or personal identification certificate number and certain initials.

(a-2) Requires a peace officer to submit each seized parking placard to the Texas Department of Transportation (TxDOT) not later than the fifth day after the seizure.

(b) Provides that on submission to TxDOT under Subsection (a) or (a-2), a placard is revoked.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.