

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1757
By: Uresti
Criminal Justice
4/18/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The use of the license plate flipper device was brought to the attention of the Bexar County District Attorney's Office by the Department of Public Safety of the State of Texas. A license plate flipper is a device designed to allow an individual to rotate or flip between two license plates within a matter of seconds. The device works by push of a button or pull of a cord. Such devices can be home-made. More sophisticatedly manufactured devices can be purchased online.

While it is currently illegal under Texas law to have false or obscured license plates showing on a vehicle, it is not illegal to have a license plate flipper device on a vehicle with false license plates not showing. This is a problem because it takes a driver less than one second to flip a license plate to a plate not registered to that specific vehicle or vice versa. There is concern that license plate flipper devices allow a criminal to hinder the ability of law enforcement or an average citizen to identify the vehicle.

C.S.S.B. 1757 amends current law relating to the manufacture, sale, distribution, purchase, or possession of a license plate flipper, and creates an offense.

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 Subchapter L, Chapter 504, Transportation Code, by adding Section 504.946, as follows:

Section 504.946. LICENSE PLATE FLIPPER. (a) Defines "license plate flipper" in this section.

(b) Provides that a person commits an offense if the person with criminal negligence purchases or possesses a license plate flipper. Provides that an offense under this subsection is a Class B misdemeanor.

(c) Provides that a person commits an offense if the person with criminal negligence manufactures, sells, offers to sell, or otherwise distributes a license plate flipper. Provides that an offense under this subsection is a Class A misdemeanor.

SECTION 2. Effective date: upon passage or September 1, 2013.