

AN ACT

relating to the dismissal of a charge of unlawfully parking a vehicle in a space designated specifically for persons with disabilities.

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

SECTION 1. Chapter 681, Transportation Code, is amended by adding Section 681.013 to read as follows:

Sec. 681.013. DISMISSAL OF CHARGE; ADMINISTRATIVE FEE. (a)

In this section, "working day" means any day other than a Saturday, a Sunday, or a holiday on which county offices are closed.

(b) The court shall:

(1) dismiss a charge for an offense under Section 681.011(b)(1) if:

(A) the vehicle displayed a disabled parking placard that was not valid as expired;

(B) the defendant remedies the defect by renewing the expired disabled parking placard within 20 working days from the date of the offense or before the defendant's first court appearance date, whichever is later; and

(C) the disabled parking placard has not been expired for more than 60 days; and

(2) assess an administrative fee not to exceed \$20 when the charge has been remedied.

(c) Notwithstanding Subsection (b)(1)(C), the court may

1 dismiss a charge of unlawfully parking a vehicle in a space
2 designated specifically for persons with disabilities, if at the
3 time of the offense the defendant's vehicle displays a disabled
4 parking placard that has been expired for more than 60 days.

5 SECTION 2. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect when the offense was committed, and
9 the former law is continued in effect for that purpose. For
10 purposes of this section, an offense was committed before the
11 effective date of this Act if any element of the offense was
12 committed before that date.

13 SECTION 3. This Act takes effect September 1, 2009.

David Dewhurst

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 400 was passed by the House on March 26, 2009, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Robert Nancy

Chief Clerk of the House

I certify that H.B. No. 400 was passed by the Senate on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Betsy Spaw

Secretary of the Senate

APPROVED: 19 JUN '09

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

2PM O'CLOCK

JUN 19 2009

Colby Hunter III