

TRANSPORTATION CODE
CHAPTER 504. LICENSE PLATES (SELECTED SECTIONS)

Section 504.901. Transfer and Removal of License Plates

(a) On the sale or transfer of a motor vehicle to a dealer who holds a general distinguishing number issued under Chapter 503, the dealer shall remove each license plate issued for the motor vehicle. A person may use the license plates removed from a motor vehicle on a new motor vehicle purchased from a dealer after the person obtains the department's approval of a title and registration application.

(b) On the sale or transfer of a motor vehicle to a person who does not hold a general distinguishing number issued under Chapter 503, the seller may remove each license plate issued for the motor vehicle. The license plates may be transferred to another vehicle titled in the seller's name if the seller obtains:

- (1) the department's approval of an application to transfer the license plates; and
- (2) a new registration insignia for the motor vehicle.

(c) A license plate removed from a motor vehicle that is not transferred to another motor vehicle must be disposed of in a manner specified by the department.

(d) To be eligible for transfer, license plates must be appropriate for the class of vehicle to which the plates are being transferred.

(e) This section applies only to:

- (1) a passenger vehicle with a gross weight of 6,000 pounds or less; and
- (2) a light truck with a gross weight of 10,000 pounds or less.

Section 504.943. Operation of Vehicle Without License Plate

(a) Except as provided by Subsection (b), a person commits an offense if the person operates on a public highway, during a registration period, a motor vehicle that does not display two license plates that:

- (1) have been assigned by the department for the period; and
- (2) comply with department rules regarding the placement of license plates.

(b) A person commits an offense if the person operates on a public highway during a registration period a road tractor, motorcycle, trailer, or semitrailer that does not display a license plate that:

- (1) has been assigned by the department for the period; and
- (2) complies with department rules regarding the placement of license plates.

(c) This section does not apply to a dealer operating a vehicle as provided by law.

(d) A court may dismiss a charge brought under Subsection (a)(1) if the defendant:

- (1) remedies the defect before the defendant's first court appearance; and
- (2) pays an administrative fee not to exceed \$ 10.

(e) An offense under this section is a misdemeanor punishable by a fine not to exceed \$ 200.

Section 504.944. Operation of Vehicle With Wrong License Plate

A person commits an offense if the person operates, or as the owner permits another to operate, on a public highway a motor vehicle that has attached to it a number plate or registration insignia issued for a different vehicle. An offense under this section is a misdemeanor punishable by a fine not to exceed \$ 200.

Section 504.945. Wrong, Fictitious, Altered, or Obscured License Plate

(a) A person commits an offense if the person attaches to or displays on a motor vehicle a license plate that:

- (1) is issued for a different motor vehicle;
- (2) is issued for the vehicle under any other motor vehicle law other than by the department;
- (3) is assigned for a registration period other than the registration period in effect;
- (4) is fictitious;
- (5) has blurring or reflective matter that significantly impairs the readability of the name of the state in which the vehicle is registered or the letters or numbers of the license plate number at any time;
- (6) has an attached illuminated device or sticker, decal, emblem, or other insignia that is not authorized by law and that interferes with the readability of the letters or numbers of the license plate number or the name of the state in which the vehicle is registered; or
- (7) has a coating, covering, protective substance, or other material that:
 - (A) distorts angular visibility or detectability;
 - (B) alters or obscures one-half or more of the name of the state in which the vehicle is registered; or
 - (C) alters or obscures the letters or numbers of the license plate number or the color of the plate.

(b) Except as provided by Subsection (e), an offense under Subsection (a) is a misdemeanor punishable by a fine of not more than \$ 200, unless it is shown at the trial of the offense that the owner knowingly altered or made illegible the letters, numbers, and other identification marks, in which case the offense is a Class B misdemeanor.

(c) Subsection (a)(7) may not be construed to apply to:

- (1) a trailer hitch installed on a vehicle in a normal or customary manner;
- (2) a transponder, as defined by Section 228.057, that is attached to a vehicle in the manner required by the issuing authority;
- (3) a wheelchair lift or wheelchair carrier that is attached to a vehicle in a normal or customary manner;
- (4) a trailer being towed by a vehicle; or
- (5) a bicycle or motorcycle rack that is attached to a vehicle in a normal or customary manner.

(d) A court may dismiss a charge brought under Subsection (a)(3), (5), (6), or (7) if the defendant:

- (1) remedies the defect before the defendant's first court appearance;
- (2) pays an administrative fee not to exceed \$ 10; and

(3) shows that the vehicle was issued a plate by the department that was attached to the vehicle, establishing that the vehicle was registered for the period during which the offense was committed.

(e) An offense under Subsection (a)(4) is a Class B misdemeanor.

Section 504.946. License Plate Flipper; Offense

First of two versions of § 504.946: As added by Acts 2013, 83rd Leg., ch. 809, § 1, effective June 14, 2013

(a) In this section, "license plate flipper" means a manual, electronic, or mechanical device designed or adapted to be installed on a motor vehicle and:

- (1) switch between two or more license plates for the purpose of allowing a motor vehicle operator to change the license plate displayed on the operator's vehicle; or
- (2) hide a license plate from view by flipping the license plate so that the license plate number is not visible.

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

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

Section 504.946. Deceptively Similar License Plate

Second of two versions of § 504.946: As added by Acts 2013, 83rd Leg., ch. 1135, § 84, effective September 1, 2013

(a) A person commits an offense if the person:

- (1) manufactures, sells, or possesses a license plate deceptively similar to a license plate issued by the department; or
- (2) makes a copy or likeness of a license plate deceptively similar to a license plate issued by the department with intent to sell the copy or likeness.

(b) For the purposes of this section, a license plate is deceptively similar to a license plate issued by the department if it is not prescribed by the department but a reasonable person would presume that it was prescribed by the department.

(c) A district or county court, on application of the attorney general or of the district attorney or prosecuting attorney performing the duties of the district attorney for the district in which the court is located, may enjoin a violation or threatened violation of this section on a showing that a violation has occurred or is likely to occur.

(d) It is an affirmative defense to a prosecution under this section that the license plate was produced pursuant to a licensing agreement with the department.

(e) An offense under this section is:

- (1) a felony of the third degree if the person manufactures or sells a deceptively similar license plate; or
- (2) a Class C misdemeanor if the person possesses a deceptively similar license plate, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subdivision.

Section 504.947. License Plate Flipper; Offense

(a) In this section "license plate flipper" means a manual, electric, or mechanical device designed or adapted to be installed on a motor vehicle and:

- (1) switch between two or more license plates for the purpose of allowing a motor vehicle operator to change the license plate displayed on the operator's vehicle; or
- (2) hide a license plate from view by flipping the license plate so that the license plate number is not visible.

(b) A person commits an offense if the person with criminal negligence uses, purchases, possesses, manufactures, sells, offers to sell, or otherwise distributes a license plate flipper. An offense under this subsection is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subsection.

Section 504.948. General Penalty

(a) A person commits an offense if the person violates a provision of this chapter and no other penalty is prescribed for the violation.

(b) An offense under Subsection (a) is a misdemeanor punishable by a fine of not less than \$ 5 or more than \$ 200.