

CHAPTER 858

H.B. No. 152

AN ACT

relating to creation of an offense involving attachment by a motor vehicle dealer of an overlay on a motor vehicle center high-mounted stop lamp.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter D, Chapter 35, Business & Commerce Code, is amended by adding Section 35.46 to read as follows:

Sec. 35.46. ATTACHING MOTOR VEHICLE DEALER'S NAME TO VEHICLE. (a)
In this section:

(1) "Motor vehicle" has the meaning assigned by Section 2(b), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes).

(2) "Center high-mounted stop lamp" means a device that is mounted on the rear center line of a motor vehicle either in or on the rear window or within six inches from the rear window of the vehicle for the purpose of emitting a light when the vehicle's brakes are applied.

(3) "Overlay" means a transparent or semi-transparent covering placed over a center high-mounted stop lamp on which is impressed or imprinted a name, trade name, logotype, or other message that can be read by a person behind the vehicle when the lamp is illuminated.

(b) A person in the business of selling motor vehicles may not sell a motor vehicle with a center high-mounted stop lamp over which an overlay has been placed.

(c) A person who violates this section commits an offense. An offense under this section is a Class C misdemeanor.

SECTION 2. This Act applies only to a motor vehicle sold on or after the effective date of this Act. A motor vehicle sold before the effective date of this Act is governed by the law in effect when the motor vehicle was sold, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 5, 1987, by a non-record vote. Passed by the Senate on May 28, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.