



1 if the applicant is not a Texas resident. The amendment to §217.41(f)(2) is necessary for consistency with  
2 the statutory language in HB 643 and mirrors the amendment to Transportation Code §681.003(b).

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4 **SUMMARY OF COMMENTS.**

5 No comments on the proposed amendment were received.

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7 **STATUTORY AUTHORITY.** The amendment to §217.41 is adopted under Transportation Code §504.0011  
8 and §1002.001.

9 Transportation Code §504.0011 authorizes the department to adopt rules to administer Chapter  
10 504.

11 Transportation Code §1002.001 authorizes the board of the Texas Department of Motor Vehicles  
12 to adopt rules that are necessary and appropriate to implement the powers and the duties of the  
13 department.

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15 **CROSS REFERENCE TO STATUTE.** Transportation Code §504.201 and §681.003.

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17 **TEXT.**

18 **Subchapter B. Motor Vehicle Registration**

19 **43 TAC §217.41**

20 §217.41. Disabled Person License Plates and Identification Placards.

21 (a) Purpose. Transportation Code, Chapters 504 and 681, charge the department with the  
22 responsibility for issuing specially designed license plates and identification placards for disabled persons.

1 For the department to perform these duties efficiently and effectively, this section prescribes the policies  
2 and procedures for the application, issuance, and renewal of Disabled Person license plates and placards.

3 (b) Issuance.

4 (1) Disabled Person license plates.

5 (A) Eligibility. In accordance with Transportation Code, §504.201, the department  
6 will issue specially designed license plates displaying the international symbol of access to permanently  
7 disabled persons or their transporters instead of regular motor vehicle license plates.

8 (B) Specialty license plates. The department will issue Disabled Person insignia on  
9 those specialty license plates that can accommodate the identifying insignia and that are issued in  
10 accordance with §217.45 of this title (relating to Specialty License Plates, Symbols, Tabs, and Other  
11 Devices).

12 (C) License plate number. Disabled Person license plates will bear a license plate  
13 number assigned by the department or will bear a personalized license plate number issued in accordance  
14 with §217.45.

15 (2) Windshield identification placards. The department will issue removable windshield  
16 identification placards to temporarily or permanently disabled persons and to the transporters of  
17 permanently disabled persons. A person who has been issued a windshield identification placard shall  
18 hang the placard from a vehicle's rearview mirror when the vehicle is parked in a disabled person parking  
19 space or shall display the placard on the center portion of the dashboard if the vehicle does not have a  
20 rearview mirror.

21 (c) Renewal of Disabled Person license plates. Disabled Person license plates are valid for a period  
22 of 12 months from the date of issuance, and are renewable as specified in §217.28 of this title (relating to  
23 Vehicle Registration Renewal).

1 (d) Replacement.

2 (1) License plates. If Disabled Person license plates are lost, stolen, or mutilated, the  
3 owner may obtain replacement license plates by applying with a county tax assessor-collector.

4 (A) Accompanying documentation. To replace permanently Disabled Person  
5 license plates, the owner must present the current year's registration receipt and personal identification  
6 acceptable to the county tax assessor-collector.

7 (B) Absence of accompanying documentation. If the current year's registration  
8 receipt is not available and the county cannot verify that the Disabled Person license plates were issued  
9 to the owner, the owner must reapply in accordance with this section.

10 (2) Disabled Person identification placards. If a Disabled Person identification placard  
11 becomes lost, stolen, or mutilated, the owner may obtain a new identification placard in accordance with  
12 this section.

13 (e) Transfer of Disabled Person license plates and identification placards.

14 (1) License plates.

15 (A) Transfer between persons. Disabled Person license plates may not be  
16 transferred between persons. An owner who sells or trades a vehicle to which Disabled Person license  
17 plates have been issued shall remove the Disabled Person license plates from the vehicle. The owner shall  
18 return the license plates to the department and shall obtain appropriate replacement license plates to  
19 place on the vehicle prior to any transfer of ownership.

20 (B) Transfer between vehicles. Disabled Person license plates may be transferred  
21 between vehicles if the county or the department can verify the plate ownership and the owner of the  
22 vehicle is the disabled person or the vehicle is used to transport the disabled person.

23 (i) Plate ownership verification may include:

- 1 (I) a Registration and Title System (RTS) inquiry;  
2 (II) a copy of the department Application for Disabled Person  
3 license plates; or  
4 (III) the owner's current registration receipt.

5 (ii) An owner who sells or trades a vehicle with Disabled Person license  
6 plates must remove the plates from the vehicle.

7 (2) Identification placards.

8 (A) Transfer between vehicles. Disabled Person identification placards may be  
9 displayed in any vehicle driven by the disabled person or in which the disabled person is a passenger.

10 (B) Transfer between persons. Disabled Person identification placards may not be  
11 transferred between persons.

12 (f) Seizure and revocation of placard.

13 (1) If a law enforcement officer seizes and destroys a placard under Transportation Code,  
14 §681.012, the officer shall notify the department by email.

15 (2) The person to whom the seized placard was issued may apply for a new placard by  
16 submitting an application to the county tax assessor-collector of the county in which the person with the  
17 disability resides or in which the applicant is seeking medical treatment [~~if the applicant is not a resident~~  
18 ~~of this state~~].

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2 **CERTIFICATION.** The department certifies that legal counsel has reviewed the proposal and found it to be  
3 within the state agency’s legal authority to adopt.

4 Issued at Austin, Texas, on December 13, 2019.

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/s/ Tracey Beaver  
Tracey Beaver, General Counsel