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Use of GPS:

Section 16.06 of the Texas Penal Code, Criminal and Traffic Law reads:

Sec. 16.06. Unlawful Installation of Tracking Device.

a) In this section:

(1) "Electronic or mechanical tracking device" means a device capable of emitting an electronic frequency or other signal that may be used by a person to identify, monitor, or record the location of another person or object.

(2) "Motor vehicle" has the meaning assigned by Section 501.002, Transportation Code.

b) A person commits an offense if the person knowingly installs an electronic or mechanical tracking device on a motor vehicle owned or leased by another person.

c) An offense under this section is a Class A misdemeanor.

d) It is an affirmative defense to prosecution under this section that the person:

(1) Obtained the effective consent of the owner or lessee of the motor vehicle before the electronic or mechanical tracking device was installed;

(2) Was a peace officer who installed the device in the course of a criminal investigation or pursuant to an order of a court to gather information for a law enforcement agency; or

(3) Was a private investigator licensed under Chapter 1702, Occupations Code, who installed the device:

(A) With written consent:

(i) To install the device given by the owner or lessee of the motor vehicles; and

(ii) To enter private residential property, if that entry was necessary to install the device, given by the owner or lessee of the property; or

(B) Pursuant to an order of or other authorization from a court to gather information.