

1-1 By: Hernandez (Senate Sponsor - Huffman) H.B. No. 914
 1-2 (In the Senate - Received from the House April 8, 2021;
 1-3 April 19, 2021, read first time and referred to Committee on
 1-4 Business & Commerce; May 13, 2021, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; May 13, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols	X			
1-9 Campbell	X			
1-10 Creighton			X	
1-11 Johnson	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Schwertner	X			
1-15 Whitmire	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the authority of certain municipal employees to request
 1-20 the removal and storage of certain abandoned or illegally parked
 1-21 vehicles.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 2308.354, Occupations Code, is amended
 1-24 to read as follows:

1-25 Sec. 2308.354. AUTHORITY FOR REMOVAL OF VEHICLE FROM PUBLIC
 1-26 ROADWAY. (a) Under an ordinance of a municipality regulating the
 1-27 parking of vehicles in the municipality, to aid in the enforcement
 1-28 of the ordinance, an employee designated by the municipality may be
 1-29 authorized to:

1-30 (1) immobilize a vehicle parked in the municipality;

1-31 [~~and~~]

1-32 (2) remove an immobilized vehicle from a public
 1-33 roadway in the municipality; and

1-34 (3) request the removal and storage of a vehicle that
 1-35 is located in an area where on-street parking is regulated by the
 1-36 ordinance and that:

1-37 (A) is parked illegally; or

1-38 (B) is parked legally and:

1-39 (i) has been unattended for more than 48
 1-40 hours; and

1-41 (ii) the employee has reasonable grounds to
 1-42 believe is abandoned.

1-43 (b) A parking facility owner or towing company may not
 1-44 remove a vehicle from a public roadway except under:

1-45 (1) this chapter or a municipal ordinance that
 1-46 complies with Section 2308.208; or

1-47 (2) the direction of a peace officer, a municipal
 1-48 employee under Subsection (a)(3), or the owner or operator of the
 1-49 vehicle.

1-50 (c) ~~Subsection [In addition to the authority granted under~~
 1-51 ~~Subsection (a) and to aid in the enforcement of an ordinance~~
 1-52 ~~regulating the parking of vehicles, a municipality with a~~
 1-53 ~~population of 1.9 million or more may authorize a designated~~
 1-54 ~~employee to request the removal of a vehicle parked illegally in an~~
 1-55 ~~area designated as a tow-away zone in a residential area where~~
 1-56 ~~on-street parking is regulated by the ordinance.~~

1-57 [~~(d) Subsections~~] (a) does [~~and (c) do~~] not apply to a
 1-58 vehicle owned by an electric, gas, water, or telecommunications
 1-59 utility while the vehicle is parked for the purpose of conducting
 1-60 work on a facility of the utility that is located below, above, or
 1-61 adjacent to the street.

2-1 SECTION 2. This Act takes effect September 1, 2021.

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