

AN ACT

relating to the impoundment of a vehicle used in the commission of the offense of racing on a highway or in the commission of certain criminal conduct involving a reckless driving exhibition.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 545.420, Transportation Code, is amended to read as follows:

Sec. 545.420. RACING ON HIGHWAY; IMPOUNDMENT OF A VEHICLE.

SECTION 2. Section 545.420(i), Transportation Code, is amended to read as follows:

(i) [~~This subsection applies only to a motor vehicle used in the commission of an offense under this section that results in an accident with property damage or personal injury.~~] A peace officer shall require a [the] vehicle used in the commission of an offense under Subsection (a) or an offense punishable under Section 42.03(d) or (e), Penal Code, to be taken to the nearest licensed vehicle storage facility unless the vehicle is seized as evidence, in which case the vehicle may be taken to a storage facility as designated by the peace officer involved. Notwithstanding Article 18.23, Code of Criminal Procedure, the owner of a ~~motor~~ vehicle that is removed or stored under this subsection is liable for all removal and storage fees incurred and is not entitled to take possession of the vehicle until those fees are paid.

SECTION 3. The changes in law made by this Act apply only to

1 an offense committed on or after the effective date of this Act. An
2 offense committed before the effective date of this Act is governed
3 by the law in effect on the date the offense was committed, and the
4 former law is continued in effect for that purpose. For purposes
5 of this section, an offense was committed before the effective date
6 of this Act if any element of the offense occurred before that date.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2899 was passed by the House on April 20, 2023, by the following vote: Yeas 143, Nays 3, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2899 on May 15, 2023, by the following vote: Yeas 115, Nays 27, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2899 was passed by the Senate, with amendments, on May 10, 2023, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor