

By: Hall

S.B. No. 385

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the impoundment of a vehicle used in the commission of
3 the offense of racing on a highway.

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

5 SECTION 1. Section 545.420(i), Transportation Code, is
6 amended to read as follows:

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

19 SECTION 2. The changes in law made by this Act apply only to
20 an offense committed on or after the effective date of this Act. An
21 offense committed before the effective date of this Act is governed
22 by the law in effect on the date the offense was committed, and the
23 former law is continued in effect for that purpose. For purposes
24 of this section, an offense was committed before the effective date

1 of this Act if any element of the offense occurred before that date.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2023.