

Amend SB 165 on third reading on page 2, between lines 11 and 12, by inserting the following:

(f) The fire department of a county or municipality may remove personal property described by Subsection (a)(2)(C) or (D) from a roadway or right-of-way if the fire department determines that the property blocks the roadway or endangers public safety.

(g) Personal property may be removed under Subsection (f) without the consent of the owner or carrier of the property. The owner and any carrier of personal property removed under that subsection shall reimburse the fire department for any reasonable cost of removal and disposition of the property.

(h) Notwithstanding any other provision of law, a fire department is not liable for:

(1) any damage to personal property removed from a roadway or right-of-way under Subsection (f), unless the removal is carried out recklessly or in a grossly negligent manner; or

(2) any damage resulting from the failure to exercise the authority granted to the fire department by Subsection (f).