

By: Pickett

H.B. No. 257

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the impoundment of a motor vehicle for failure to  
3 maintain financial responsibility for the vehicle.

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

5 SECTION 1. Subchapter G, Chapter 601, Transportation Code,  
6 is amended by adding Section 601.1915 to read as follows:

7 Sec. 601.1915. IMPOUNDMENT OF MOTOR VEHICLE BY PEACE  
8 OFFICER. (a) If a person required by Section 601.053 to provide to  
9 a peace officer evidence of financial responsibility for a motor  
10 vehicle involved in an accident fails to provide that evidence, the  
11 officer may impound the vehicle.

12 (b) If an officer impounds a motor vehicle under Subsection  
13 (a), the officer shall issue the person a written explanation, on a  
14 form designed by the law enforcement agency that employs the peace  
15 officer, as to how the owner or operator of the vehicle may recover  
16 the motor vehicle from that law enforcement agency.

17 (c) The law enforcement agency that impounds a motor vehicle  
18 under Subsection (a) may release the vehicle to the owner or  
19 operator of the vehicle only if the owner or operator:

20 (1) provides to the law enforcement agency evidence  
21 consistent with:

22 (A) Section 601.053, showing that on the date the  
23 vehicle was impounded the vehicle was in compliance with Section  
24 601.051;

1                   (B) Section 601.052, showing that on that date  
2 the vehicle was exempt from the requirements of Section 601.051; or

3                   (C) Section 601.053, showing that financial  
4 responsibility for the vehicle has been obtained and is valid; and

5                   (2) except as provided by Subsection (d), pays for the  
6 cost of the impoundment.

7                   (d) If the owner or operator provides evidence described by  
8 Subsection (c)(1)(A) or (B), the owner or operator is not required  
9 to pay for the cost of the impoundment.

10                   SECTION 2. This Act takes effect September 1, 2003.