

By: Dutton

H.B. No. 2100

A BILL TO BE ENTITLED

AN ACT

relating to the disposing of abandoned motor vehicles.

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

SECTION 1. Section 683.001, Transportation Code, is amended by adding Subdivisions (9) and (10) to read as follows:

(9) "Abandoned nuisance vehicle" means a motor vehicle that is at least 10 years old and is of a condition only to be demolished, wrecked, or dismantled.

(10) "Vehicle storage facility" means a vehicle storage facility, as defined by Section 2, Vehicle Storage Facility Act (Article 6687-9a, Revised Statutes), that is currently licensed to operate under that Act.

SECTION 2. Section 683.012, Transportation Code, is amended by adding Subsection (e) to read as follows:

(e) A law enforcement agency is not required to send a notice, as otherwise required by Subsection (a), if the agency has received notice from a vehicle storage facility that an application has or will be submitted to the department or a law enforcement agency for the disposal of an abandoned nuisance vehicle.

(f) A law enforcement agency has confirmed that notice has been sent by the vehicle storage facility as required by the Vehicle Storage Facility Act to both the owner and lien holder of record.

SECTION 3. Section 683.034(e), Transportation Code, is amended to read as follows:

1 (e) If the law enforcement agency does not take the vehicle  
2 into custody before the 31st day after the date notice is sent under  
3 Section 683.012:

4 (1) the law enforcement agency may not take the  
5 vehicle into custody; and

6 (2) the storage facility may dispose of the vehicle  
7 under:

8 (A) Chapter 70, Property Code, except that notice  
9 under Section 683.012 satisfies the notice requirements of that  
10 chapter; or

11 (B) the Vehicle Storage Facility Act (Article  
12 6687-9a, Revised Statutes) if:

13 (i) the storage facility is a licensed  
14 vehicle storage facility; and

15 (ii) the vehicle is an abandoned nuisance  
16 vehicle.

17 SECTION 4. Section 14, Vehicle Storage Facility Act  
18 (Article 6687-9a, Revised Statutes), is amended by amending  
19 Subsection (b) to read as follows:

20 (b) an impoundment fee of \$20 [~~\$10~~] for any action that:

21 (1) is taken by or at the direction of the owner or  
22 operator of the facility; and

23 (2) is necessary to preserve, protect, or service a  
24 vehicle stored or parked at the facility; and

25 SECTION 5. Section 13, Vehicle Storage Facility Act  
26 (Article 6687-9a, Revised Statutes), is amended by amending  
27 Subsection (e)(4) to read as follows:

1           (4) the registration does not contain an address for  
2 the registered owner: or [~~and~~]

3           (5) the operator of the storage facility cannot  
4 reasonably determine the identity and address of each lien holder.