

By: Keffer of Dallas

H.B. No. 2612

A BILL TO BE ENTITLED

AN ACT

1
2 relating to towing and storage of a commercial motor vehicle for
3 which certain coverage exists under a commercial motor vehicle
4 insurance policy.

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

6 SECTION 1. Subchapter A, Chapter 5, Insurance Code, is
7 amended by adding Article 5.06-7 to read as follows:

8 Art. 5.06-7. PROOF OF LIABILITY INSURANCE FORM FOR
9 COMMERCIAL MOTOR VEHICLE. The commissioner by rule shall require a
10 proof of motor vehicle liability insurance issued for a commercial
11 motor vehicle insurance policy to contain, in addition to
12 information required under Section 601.081, Transportation Code, a
13 statement of whether the policy provides coverage for towing and
14 storage charges and a telephone number that a person may call to
15 request confirmation of the coverage.

16 SECTION 2. Subchapter F, Chapter 684, Transportation Code,
17 is amended by adding Section 684.102 to read as follows:

18 Sec. 684.102. RELEASE OF COMMERCIAL VEHICLE REQUIRED ON
19 PROOF OF INSURANCE COVERAGE. (a) If the owner or operator of a
20 commercial motor vehicle stored by a towing company or vehicle
21 storage facility submits a proof of motor vehicle liability
22 insurance form that indicates the insurance coverage includes
23 coverage for towing and storage charges for the vehicle, the towing
24 company or vehicle storage facility shall call the telephone number

1 on the form to request confirmation of the coverage.

2 (b) If coverage for towing and storage charges for the
3 vehicle is confirmed, the towing company or vehicle storage
4 facility may not require the owner or operator of the vehicle to
5 pay the charges before releasing the vehicle.

6 (c) Section 684.085 does not apply to a violation of this
7 section.

8 SECTION 3. (a) Not later than November 1, 2003, the
9 commissioner of insurance shall adopt all rules necessary to
10 implement Article 5.06-7, Insurance Code, as added by this Act.

11 (b) The change in law made by this Act applies only to a
12 vehicle towed or put into a vehicle storage facility on or after the
13 effective date of this Act.

14 SECTION 4. This Act takes effect September 1, 2003.