

BILL ANALYSIS

H.B. 857
By: Talton
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state law does not prohibit a municipality from leasing segments of a state highway to private towing companies in order to perform mandatory non-consent tows. H.B. 857 prohibits municipalities from entering into contracts with private tow companies granting exclusive rights to any segment of a freeway for the purpose of performing mandatory non-consent tows.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Subchapter G, Chapter 545, Transportation Code, by adding Section 545.3055. The new section prohibits a municipality from granting an exclusive right to one or more towing companies to remove a disabled vehicle from a designated segment of a freeway in the municipality without the consent of the owner of the vehicle. This does not apply to a vehicle that has been left unattended on the freeway for more than four hours, is obstructing vehicular travel, or is disabled beyond operation if the owner is unable to provide for the removal of the vehicle or is not in the immediate vicinity of the vehicle.

EFFECTIVE DATE

This Act takes effect September 1, 2005 or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.