

By: Quintanilla

H.B. No. 718

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(A) Section 601.053, showing that on the date the vehicle was impounded, the motor vehicle was in compliance with Section 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, 2005.