

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**February 10, 2005**

**TO:** Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: SB340** by Whitmire (Relating to the authority of a municipality to require the removal of certain vehicles from a freeway without the consent of the owner or person in charge of the vehicle.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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Notwithstanding any other provision of the Transportation Code or other law, the bill would prohibit a municipality or authorized officer or employee of the 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, operator, or person in charge of the vehicle. The bill provides exceptions that would allow non-consent towing in certain circumstances.

**Local Government Impact**

A sampling of municipalities through which a freeway runs was contacted regarding the fiscal impact of the bill. Municipalities that do not have a non-consent towing program in place responded that there would be no fiscal impact as a result of implementing the provisions of the bill. The City of Houston, which currently operates a non-consent towing program, indicates that it would incur an unidentifiable increase in costs for emergency services operations if its towing program were to be discontinued. The city based its assessment on emergency services costs experienced before the city began the non-consent towing program.

**Source Agencies:**

**LBB Staff:** JOB, WP, DLBa