

BILL ANALYSIS

C.S.H.B. 3977
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, if a vehicle registered in Texas is towed and taken to a vehicle storage facility, the registered owner and the primary lienholder both receive an initial notice via mail (or published notice in the newspaper in the county where the vehicle is stored) that the vehicle was towed to a facility. If the vehicle is not claimed by the registered owner or primary lienholder or taken into custody by a law enforcement agency before the 41st day after the 1st notice is mailed or published, the vehicle storage facility must send out a second notice to the registered owner and primary lienholder. The vehicle storage facility will only be allowed to sell the unclaimed vehicle if the vehicle is neither claimed by the registered owner or primary lienholder, nor taken into custody by a law enforcement agency, before the 30th day after the date the 2nd notice is mailed.

C.S.H.B. 3977 reduces the amount of time in which a vehicle storage facility must retain a vehicle before being able to sell it.

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

CSHB 3977 requires a vehicle storage facility to send a second notice to the registered owner and primary lienholder if a vehicle is not claimed by the registered owner or primary lienholder or taken into custody by a law enforcement agency before the 21st day after the first notice is mailed or published in the newspaper in the county where the vehicle is stored after being towed.

CSHB 3977 applies only to a vehicle accepted for storage at a vehicle storage facility on or after the effective date of the Act.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3977 contains no substantive changes from the introduced version; rather, the committee substitute was drafted by Texas Legislative Council with the intent that the substitute reflect and integrate the proper drafting techniques utilized by the Council on all bills, resolutions and substitutes brought before the House membership for consideration. As such, the substitute merely deletes reference to unamended Sections 2303.154 (a-1), (b) and (c), Occupations Code, and makes additional, non-substantive drafting revisions.