

## **BILL ANALYSIS**

C.S.S.B. 350  
By: Ellis  
Urban Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The current reading of Section 683.071 of the Transportation code says that if a vehicle has an unexpired license plate, *or* a valid inspection sticker, it is *not* defined as a “junked vehicle”.

The proposed complete committee substitute for Senate Bill No. 350 would change the requirement so that a vehicle must be lacking *both* an unexpired license plate *and* a valid inspection sticker in order to be defined as a “junked vehicle”.

Also, current law mandates that an owner of an abandoned motor vehicle automatically receive a hearing regarding the abatement of that nuisance. However, automatically requiring such hearings has contributed to an excessive back-log of such cases on the court dockets.

The proposed substitute for Senate Bill No. 350 would remove the *automatic* hearing requirement before mandating the abatement of an abandoned motor vehicle. Instead, the substitute authorizes a person to receive a hearing only if the person *requests* a hearing before the date on which the nuisance must be abated or removed.

### **RULEMAKING AUTHORITY**

It is the committee’s opinion that this bill would not expressly confer any additional rulemaking authority to a State officer, institution, department or agency.

### **SECTION-BY-SECTION ANALYSIS**

SECTION 1. Would amend Section 683.071, Transportation Code, to require that in order for a vehicle to be defined as a “junked vehicle” it must be self-propelled and *not* have lawfully attached to it an *unexpired* license plate *and* a *valid* motor vehicle inspection certificate.

SECTION 2. Would amend Section 683.074(b), Transportation Code, to require the procedures relating to the abatement and removal of an abandoned motor vehicle as a public nuisance to include a provision requiring a public hearing *only* at the *request* of a person who received notice of abatement and removal of that person's abandoned motor vehicle (as provided by Section 683.075), rather than an *automatic* hearing, as contained in current law. Such request must be made before the date the nuisance is to be abated and removed.

SECTION 3. Effective date: September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The committee substitute adds a new SECTION 1 which changes “or” to “and” in Section 683.071 of the Transportation Code, thereby requiring that a wrecked or inoperable vehicle must

be lacking both and unexpired license and a valid inspection sticker in order to meet the definition of the term “junked vehicle”.