

By: Jackson

H.B. No. 1001

A BILL TO BE ENTITLED

AN ACT

relating to the employment by a towing company or vehicle storage facility of certain persons as drivers; providing a penalty.

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

SECTION 1. Chapter 684, Transportation Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. REGULATION OF TOWING COMPANIES AND VEHICLE STORAGE

FACILITY OWNERS

Sec. 684.201. PROHIBITED EMPLOYMENT. (a) A towing company or vehicle storage facility shall, on employment of a person as a driver to remove or store vehicles under this chapter and annually thereafter, submit a complete set of fingerprints of the person in a form and of a quality acceptable to the Department of Public Safety and the Federal Bureau of Investigation for the purpose of conducting a state and federal criminal history check.

(b) If a towing company or vehicle storage facility receives verification from the Department of Public Safety that a person employed or to be employed by the company or facility has been convicted of a felony, the company or facility may not employ that person as a driver to remove or store vehicles.

Sec. 684.202. OFFENSE. (a) A person commits an offense if the person violates Section 684.201.

(b) An offense under Subsection (a) is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the

1 person has been previously convicted under this section.

2 SECTION 2. Subchapter F, Chapter 411, Government Code, is  
3 amended by adding Section 411.0975 to read as follows:

4 Sec. 411.0975. DISCLOSURE OF CERTAIN CRIMINAL HISTORY  
5 RECORD INFORMATION: TOW TRUCK AND VEHICLE STORAGE FACILITY DRIVERS.

6 (a) In this section, "towing company" and "vehicle storage  
7 facility" have the meanings assigned by Section 684.001,  
8 Transportation Code.

9 (b) The department shall implement a program that allows a  
10 towing company or vehicle storage facility to apply to the  
11 department for verification of a felony conviction under Section  
12 684.201(a), Transportation Code, of a person employed or to be  
13 employed by the company or facility.

14 (c) The department by rule shall require a towing company or  
15 vehicle storage facility to pay to the department a fee in an amount  
16 not to exceed the administrative costs the department incurs in  
17 conducting a background and criminal history check under this  
18 section.

19 SECTION 3. This Act takes effect September 1, 2007.