

By: Goolsby

H.B. No. 1150

A BILL TO BE ENTITLED

AN ACT

relating to the procedural requirements for disposal of certain vehicles by a vehicle storage facility.

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

SECTION 1. Sections 2303.154(a) and (b), Occupations Code, are amended to read as follows:

(a) If a vehicle is not claimed by a person permitted to claim the vehicle or is not taken into custody by a law enforcement agency under Chapter 683, Transportation Code, before the 21st ~~41st~~ day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall send a second notice to the registered owner and the primary lienholder of the vehicle.

(b) Notice under this section must include:

(1) the information listed in Section 2303.153(a);

(2) a statement of the right of the facility to dispose of the vehicle under Section 2303.157; and

(3) a statement that the failure of the owner or lienholder to claim the vehicle before the 21st ~~30th~~ day after the date the notice is provided is:

(A) a waiver by that person of all right, title, or interest in the vehicle; and

(B) a consent to the sale of the vehicle at a public sale.

SECTION 2. Section 2303.157(a), Occupations Code, is amended to read as follows:

(a) The operator of a vehicle storage facility may dispose of a vehicle for which notice is given under Section 2303.154 if, before the 21st [~~30th~~] day after the date notice is mailed, the vehicle is not:

(1) claimed by a person entitled to claim the vehicle;
or

(2) taken into custody by a law enforcement agency under Chapter 683, Transportation Code.

SECTION 3. The change in law made by this Act applies only to a vehicle towed to a vehicle storage facility on or after the effective date of this Act. A vehicle towed to a vehicle storage facility before the effective date of this Act is governed by the law in effect on the date the vehicle was towed to the facility, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2007.