

1-1 By: Nelson S.B. No. 46  
1-2 (In the Senate - Filed November 13, 2006; January 23, 2007,  
1-3 read first time and referred to Committee on Business and Commerce;  
1-4 April 10, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 10, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 46 By: Harris

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to certain fees charged for the impoundment and storage of  
1-11 a recovered stolen vehicle.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 2303.155, Occupations Code, is amended  
1-14 by amending Subsection (b) and adding Subsection (h) to read as  
1-15 follows:

1-16 (b) Except as provided by Subsection (h), the [The] operator  
1-17 of a vehicle storage facility or governmental vehicle storage  
1-18 facility may charge the owner of a vehicle stored or parked at the  
1-19 facility:

1-20 (1) a notification fee set in a reasonable amount for  
1-21 providing notice under this subchapter, including notice under  
1-22 Section 2303.154 (c);

1-23 (2) an impoundment fee of \$20 for any action that:

1-24 (A) is taken by or at the direction of the owner  
1-25 or operator of the facility; and

1-26 (B) is necessary to preserve, protect, or service  
1-27 a vehicle stored or parked at the facility;

1-28 (3) a daily storage fee of:

1-29 (A) not less than \$5 and not more than \$20 for  
1-30 each day or part of a day the vehicle is stored at the facility if  
1-31 the vehicle is not longer than 25 feet; or

1-32 (B) \$35 for each day or part of a day the vehicle  
1-33 is stored at the facility if the vehicle is longer than 25 feet; and

1-34 (4) any fee that is required to be submitted to a law  
1-35 enforcement agency, the agency's authorized agent, or a  
1-36 governmental entity.

1-37 (h) The operator of a vehicle storage facility or  
1-38 governmental vehicle storage facility may not charge a fee under  
1-39 Subsection (b) to the owner of a vehicle stored or parked at the  
1-40 facility as a result of recovery of the vehicle after being stolen  
1-41 if the vehicle owner provides the operator with a copy of the police  
1-42 report or similar report prepared by any law enforcement agency  
1-43 showing that the vehicle was reported stolen.

1-44 SECTION 2. This Act takes effect September 1, 2007.

1-45 \* \* \* \* \*