

By: Kuempel

H.B. No. 3087

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regulation of the towing and storage of certain
3 motor vehicles.

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

5 SECTION 1. Subchapter D, Chapter 2303, Occupations Code, is
6 amended by adding Section 2303.1511 to read as follows:

7 Sec. 2303.1511. NOTICE TO LOCAL LAW ENFORCEMENT AGENCY.

8 (a) This section applies only to vehicles that have been the
9 subject of a nonconsent tow:

10 (1) from private property; or

11 (2) at the request of a local law enforcement agency.

12 (b) In addition to other notices required by law, the
13 operator of a vehicle storage facility shall send an electronic
14 notification to each local law enforcement agency with jurisdiction
15 over the area from which a vehicle is towed:

16 (1) after the vehicle storage facility receives a
17 vehicle described by Subsection (a); and

18 (2) before the vehicle storage facility releases or
19 disposes of a vehicle described by Subsection (a).

20 (c) The commission may adopt rules necessary to administer
21 this section including establishing requirements for a notice and
22 the content of the notice sent under this section.

23 SECTION 2. Section 2308.202, Occupations Code, is amended
24 to read as follows:

1 Sec. 2308.202. REGULATION BY CERTAIN POLITICAL
2 SUBDIVISIONS OF FEES FOR NONCONSENT TOWS. The governing body of a
3 municipality or a county commissioners court [~~political~~
4 ~~subdivision~~] may regulate the fees that may be charged or collected
5 in connection with:

6 (1) a nonconsent tow originating in the territory of
7 the municipality or county; and

8 (2) the storage of a vehicle that has been the subject
9 of a nonconsent tow at a vehicle storage facility located in the
10 territory of the municipality or county [~~political subdivision~~].

11 SECTION 3. Section 2303.1511, Occupations Code, as added by
12 this Act, applies only to a vehicle received by a vehicle storage
13 facility on or after the effective date of this Act. A vehicle
14 received before the effective date of this Act is governed by the
15 law in effect immediately before that date, and that law is
16 continued in effect for that purpose.

17 SECTION 4. This Act takes effect September 1, 2009.