

By: Gattis, Pickett, Vaught

H.B. No. 3255

A BILL TO BE ENTITLED

AN ACT

relating to the impoundment of a motor vehicle if operated without financial responsibility.

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

SECTION 1. Subchapter C, Chapter 601, Transportation Code, is amended by adding Section 601.0535 to read as follows:

Sec. 601.0535. IMPOUNDMENT OF MOTOR VEHICLE BY PEACE OFFICER. (a) A peace officer may impound the vehicle of a person who operates a motor vehicle in violation of Section 601.051 if the person has been previously convicted of a violation of that section.

(b) If an officer impounds a motor vehicle under Subsection (a), the officer shall issue the person a written explanation, on a form designed by the law enforcement agency that employs the peace officer, as to how the owner or operator of the vehicle may recover the motor vehicle from that law enforcement agency.

(c) The law enforcement agency that impounds a motor vehicle under Subsection (a) may release the vehicle to the owner or operator of the vehicle only if the owner or operator:

(1) provides to the law enforcement agency evidence consistent with:

(A) Section 601.053, showing that on the date the vehicle was impounded, the motor vehicle was in compliance with Section 601.051;

1 (B) Section 601.052, showing that on that date
2 the vehicle was exempt from the requirements of Section 601.051; or

3 (C) Section 601.053, showing that financial
4 responsibility for the vehicle has been obtained and is valid; and

5 (2) pays for the cost of the impoundment.

6 SECTION 2. The change in law made by this Act applies only
7 to an offense committed on or after September 1, 2009. An offense
8 committed before September 1, 2009, is covered by the law in effect
9 when the offense was committed, and the former law is continued in
10 effect for that purpose. For purposes of this section, an offense
11 was committed before September 1, 2009, if any element of the
12 offense occurred before that date.

13 SECTION 3. This Act takes effect September 1, 2009.