

BILL ANALYSIS

Senate Research Center

S.B. 1053
By: Carona
Transportation
7/17/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Licensing and Regulation (TDLR) regulates vehicle storage facilities pursuant to Chapter 2303 (Vehicle Storage Facilities), Occupations Code. This regulatory program was transferred to TDLR from the Texas Department of Transportation (TxDOT) in 2007 following the passage of H.B. 2094. However, when the program was transferred to TDLR, a reference to TxDOT's licensing program was not removed from the statute.

In accordance with Chapter 2303, Occupations Code, a person must obtain a license from TDLR in order to operate a vehicle storage facility. In addition, the operator of a vehicle storage facility must comply with notice requirements upon receiving a towed vehicle for storage. Specifically, the statutorily required disclosure must contain basic identifying information relating to the vehicle and the vehicle storage facility, including the facility operator's license number.

S.B. 1053 replaces a reference in Section 2303.153 (Contents of Notice), Occupations Code, to "Texas Department of Transportation" with "Texas Department of Licensing and Regulation," so that the required information contained on a vehicle storage facility disclosure accurately reflects the state's current regulatory program.

S.B. 1053 amends current law relating to the notice provided to an owner or lienholder of a vehicle towed to a vehicle storage facility or provided to an owner or operator of a vehicle by a parking facility owner.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2303.153(a), Occupations Code, to require that a notice by mail provided under Section 2303.151 (Notice to Vehicle Owner or Lienholder), include certain information, including the facility license number preceded by "Texas Department of Licensing and Regulation Vehicle Storage Facility License Number" or "TDLR VSF Lic. No.," rather than by "Texas Department of Transportation Vehicle Storage Facility License Number."

SECTION 2. Amends Section 2308.252(b), Occupations Code, to change a reference to the Texas Department of Transportation to the Texas Department of Motor Vehicles.

SECTION 3. Provides that the changes in law made by this Act apply only to a notice mailed on or after September 1, 2013. Provides that a notice mailed before September 1, 2013, is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 4. Effective date: September 1, 2013.