

By: Guillen

H.B. No. 356

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the notice required to remove a vehicle with an expired
3 registration or inspection certificate from certain private
4 property.

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

6 SECTION 1. Section 2308.253, Occupations Code, is amended
7 by amending Subsection (e) and adding Subsection (e-1) to read as
8 follows:

9 (e) A contract provision providing for the removal from a
10 parking facility of a vehicle that does not display an unexpired
11 license plate or registration insignia or a valid inspection
12 certificate is valid only if the provision requires the owner or
13 operator of the vehicle to be given at least 10 days' written notice
14 that the vehicle will be towed from the facility at the vehicle
15 owner's or operator's expense if it is not removed from the parking
16 facility. The notice must be:

17 (1) delivered in person to the owner or operator of the
18 vehicle; ~~or~~

19 (2) sent by certified mail, return receipt requested,
20 to that owner or operator; or

21 (3) attached in a conspicuous manner to the vehicle's
22 front windshield or, if the vehicle does not have a front
23 windshield, to an easily visible part of the vehicle.

24 (e-1) A notice provided in the manner described by

1 Subsection (e)(3) must state, as applicable, that the vehicle does
2 not have:

3 (1) an unexpired license plate or registration
4 insignia issued for the vehicle under Chapter 502, Transportation
5 Code, or under the vehicle registration law of another state or
6 country; or

7 (2) a valid inspection certificate issued under
8 Chapter 548, Transportation Code, or under the vehicle inspection
9 law of another state or country.

10 SECTION 2. Section 2308.253(e), Occupations Code, as
11 amended by this Act, applies only to a contract, including a lease
12 or rental agreement, entered into on or after the effective date of
13 this Act. A contract entered into before that date is governed by
14 the law in effect on the date the contract was entered into, and the
15 former law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2014.