

By: Kleinschmidt

H.B. No. 583

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the impoundment of a motor vehicle operated without
3 financial responsibility and involved in an accident or traffic
4 violation.

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

6 SECTION 1. The heading to Subchapter I, Chapter 601,
7 Transportation Code, is amended to read as follows:

8 SUBCHAPTER I. FAILURE TO MAINTAIN EVIDENCE OF FINANCIAL
9 RESPONSIBILITY; IMPOUNDMENT OF MOTOR VEHICLE FOR MULTIPLE OFFENSES

10 SECTION 2. Chapter 601, Transportation Code, is amended by
11 adding Subchapter I-1 to read as follows:

12 SUBCHAPTER I-1. FAILURE TO MAINTAIN EVIDENCE OF FINANCIAL
13 RESPONSIBILITY; IMPOUNDMENT OF MOTOR VEHICLE AFTER ACCIDENT OR
14 TRAFFIC VIOLATION

15 Sec. 601.271. DEFINITIONS. In this subchapter, "owner of a
16 vehicle" and "vehicle storage facility" have the meanings assigned
17 by Section 2303.002, Occupations Code.

18 Sec. 601.272. IMPOUNDMENT OF MOTOR VEHICLE. A peace officer
19 may impound or authorize a vehicle storage facility to remove and
20 impound the vehicle of a person who:

21 (1) is involved in a motor vehicle accident or is
22 stopped for an alleged violation of a local traffic ordinance, a
23 state traffic law, or any other law that applies to the operation of
24 a vehicle on a roadway; and

1 (2) operates a motor vehicle in violation of Section
2 601.051.

3 Sec. 601.273. RELEASE OF IMPOUNDED MOTOR VEHICLE. (a) A
4 peace officer who impounds or authorizes the impoundment of a motor
5 vehicle under Section 601.272 shall instruct the operator of the
6 vehicle as to how the owner of the vehicle may recover the motor
7 vehicle from the law enforcement agency that employs the peace
8 officer or the authorized vehicle storage facility.

9 (b) The law enforcement agency or authorized vehicle
10 storage facility that impounds a motor vehicle under Section
11 601.272 may release the vehicle to the owner of the vehicle only if
12 the owner:

13 (1) provides to the law enforcement agency or
14 authorized vehicle storage facility evidence consistent with:

15 (A) Section 601.052, showing that on the date the
16 vehicle was impounded, the motor vehicle was exempt from the
17 requirements of Section 601.051;

18 (B) Section 601.053, showing that on that date
19 the vehicle was in compliance with Section 601.051; or

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

22 (2) provides to the law enforcement agency or
23 authorized vehicle storage facility a driver's license issued to
24 the owner of the vehicle; and

25 (3) pays all associated fees authorized under Chapters
26 2303 and 2308, Occupations Code.

27 (c) The law enforcement agency or authorized vehicle

1 storage facility that impounds a motor vehicle under Section
2 601.272 may release the vehicle to a person who is shown as a
3 lienholder on the vehicle's certificate of title only if the
4 person:

5 (1) provides to the law enforcement agency or
6 authorized vehicle storage facility a statement from an officer of
7 the lienholder establishing that the obligation secured by the
8 vehicle is in default; and

9 (2) pays all associated fees authorized under Chapters
10 2303 and 2308, Occupations Code.

11 SECTION 3. The change in law made by this Act applies only
12 to an offense committed on or after September 1, 2013. An offense
13 committed before September 1, 2013, is governed by the law in effect
14 on the date the offense was committed, and the former law is
15 continued in effect for that purpose. For purposes of this section,
16 an offense was committed before September 1, 2013, if any element of
17 the offense occurred before that date.

18 SECTION 4. This Act takes effect September 1, 2013.