

By: Carona
(Guillen)

S.B. No. 1053

Substitute the following for S.B. No. 1053:

By: Guillen

C.S.S.B. No. 1053

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the notice provided to an owner or lienholder of a
3 vehicle towed to a vehicle storage facility or provided to an owner
4 or operator of a vehicle by a parking facility owner.

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

6 SECTION 1. Section 2303.153(a), Occupations Code, is
7 amended to read as follows:

8 (a) A notice by mail provided under Section 2303.151 must
9 include:

- 10 (1) the date the vehicle was accepted for storage;
11 (2) the first day for which a storage fee is assessed;
12 (3) the daily storage rate;
13 (4) the type and amount of any other charge to be paid
14 when the vehicle is claimed;
15 (5) the full name, street address, and telephone
16 number of the vehicle storage facility;
17 (6) the hours during which the owner may claim the
18 vehicle; and
19 (7) the facility license number preceded by "Texas
20 Department of Licensing and Regulation [~~Transportation~~] Vehicle
21 Storage Facility License Number [~~-~~]" or "TDLR VSF Lic. No."

22 SECTION 2. Section 2308.252(b), Occupations Code, is
23 amended to read as follows:

24 (b) A parking facility owner is considered to have given

1 notice under Subsection (a)(3) if:

2 (1) a conspicuous notice has been attached to the
3 vehicle's front windshield or, if the vehicle has no front
4 windshield, to a conspicuous part of the vehicle stating:

5 (A) that the vehicle is in a parking space in
6 which the vehicle is not authorized to be parked;

7 (B) a description of all other unauthorized areas
8 in the parking facility;

9 (C) that the vehicle will be towed at the expense
10 of the owner or operator of the vehicle if it remains in an
11 unauthorized area of the parking facility; and

12 (D) a telephone number that is answered 24 hours
13 a day to enable the owner or operator of the vehicle to locate the
14 vehicle; and

15 (2) a notice is mailed after the notice is attached to
16 the vehicle as provided by Subdivision (1) to the owner of the
17 vehicle by certified mail, return receipt requested, to the last
18 address shown for the owner according to the vehicle registration
19 records of the Texas Department of Motor Vehicles [~~Transportation~~],
20 or if the vehicle is registered in another state, the appropriate
21 agency of that state.

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

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