

**House Bill 2690**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter D, Chapter 503, Transportation Code, is amended by adding Section 503.096 to read as follows:

Sec. 503.096. TOWING OF VEHICLES. (a) If a person is engaged in business as a dealer in violation of Section 503.021, a peace officer may cause a vehicle that is being offered for sale by the person to be towed from the location where the vehicle is being offered for sale and stored at a vehicle storage facility, as defined by Section 2308.002, Occupations Code.

(b) A peace officer may cause the vehicle to be towed under Subsection (a) only if:

(1) the peace officer has a probable cause that the vehicle is being offered for sale by a person engaged in business as a dealer in violation of Section 503.021;

(2) the peace officer has complied with the notice requirements under Subsection (c); and

(3) the notice under Subsection (c) was attached to the vehicle not less than two hours before the vehicle is caused to be towed.

(c) Before a vehicle may be towed under Subsection (a), a peace officer, an appropriate local government employee, or an investigator employed by the department must attach a conspicuous notice to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:

(1) the make and model of the vehicle and the license plate number and vehicle identification number of the vehicle, if any;

(2) the date and time that the notice was affixed to the vehicle;

(3) that the vehicle is being offered for sale in violation of

SENATE VERSION (CS)

SECTION 1. Subchapter D, Chapter 503, Transportation Code, is amended by adding Section 503.096 to read as follows:

Sec. 503.096. TOWING OF VEHICLES. (a) If a person is engaged in business as a dealer in violation of Section 503.021, a peace officer may cause a vehicle that is being offered for sale by the person to be towed from the location where the vehicle is being offered for sale and stored at a vehicle storage facility, as defined by Section 2308.002, Occupations Code.

(b) A peace officer may cause the vehicle to be towed under Subsection (a) only if:

(1) the peace officer has a probable cause that the vehicle is being offered for sale by a person engaged in business as a dealer in violation of Section 503.021;

(2) the peace officer has complied with the notice requirements under Subsection (c); and

(3) the notice under Subsection (c) was attached to the vehicle not less than two hours before the vehicle is caused to be towed.

(c) Before a vehicle may be towed under Subsection (a), a peace officer, an appropriate local government employee, or an investigator employed by the department must attach a conspicuous notice to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:

(1) the make and model of the vehicle and the license plate number and vehicle identification number of the vehicle, if any;

(2) the date and time that the notice was affixed to the vehicle;

(3) that the vehicle is being offered for sale in violation of

CONFERENCE

**House Bill 2690**  
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HOUSE VERSION

Section 503.021:

(4) that the vehicle and any property on or in the vehicle may be towed and stored at the expense of the owner of the vehicle not less than two hours after the notice is attached to the vehicle if the vehicle remains parked at the location; and

(5) the name, address, and telephone number of the vehicle storage facility where the vehicle will be towed.

(d) If a vehicle is towed under Subsection (a), the peace officer who caused the vehicle to be towed shall, not later than 48 hours after the vehicle was towed, mail a written notice to the last known address of the vehicle's registered owner and lienholders, as shown by the department's records. If it is determined that the owner of the vehicle is a resident of another jurisdiction, the notice shall be sent to the agency responsible for vehicle titles and registration in that jurisdiction. Written notice under this subsection must:

(1) include the make and model of the vehicle and the license plate number and vehicle identification number of the vehicle, if any;

(2) include the date and time that the vehicle was towed and the location from which the vehicle was towed;

(3) state that the vehicle was being offered for sale in violation of Section 503.021;

(4) state that the vehicle was towed and is being stored at the expense of the owner of the vehicle; and

(5) include the name, address, and telephone number of the vehicle storage facility where the vehicle was towed and is being stored.

(e) Once notice has been attached to a vehicle under Subsection (c), a peace officer may prevent the vehicle from being removed by a person unless the person provides evidence of ownership in the person's name or written

SENATE VERSION (CS)

Section 503.021:

(4) that the vehicle and any property on or in the vehicle may be towed and stored at the expense of the owner of the vehicle not less than two hours after the notice is attached to the vehicle if the vehicle remains parked at the location; and

(5) the name, address, and telephone number of the vehicle storage facility where the vehicle will be towed.

(d) Once notice has been attached to a vehicle under Subsection (c), a peace officer may prevent the vehicle from being removed by a person unless the person provides evidence of ownership in the person's name or written

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HOUSE VERSION

authorization from the owner of the vehicle for the person to offer the vehicle for sale in a manner other than by consignment.

SECTION 2. This Act takes effect September 1, 2013.

SENATE VERSION (CS)

authorization from the owner of the vehicle for the person to offer the vehicle for sale in a manner other than by consignment.

SECTION 2. Same as House version.

CONFERENCE