

## **BILL ANALYSIS**

Senate Research Center  
84R23041 JTS-F

C.S.S.B. 1502  
By: Garcia  
Transportation  
4/22/2015  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The City of Houston has established a successful freeway incident management program to help address traffic problems in the greater Houston area. An important component of this program has been the engagement of the towing industry to rapidly remove disabled vehicles from the freeway system. The quick removal of these vehicles enhances safety for all freeway users, including the reduction of secondary crashes which can be more severe than the initial incident, and restores the normal flow of traffic.

Under current law, Harris County may set up a similar program only in the unincorporated areas of the county. Due to the success of Houston's program, there is interest in establishing a similar program in both the unincorporated areas of Harris County and the other incorporated areas of Harris County.

C.S.S.B. 1502 authorizes the commissioners court of Harris County to provide for the removal of disabled or unlawfully stopped vehicles in an incorporated area of the county only if the county enters into an interlocal agreement with the incorporated area to do so.

C.S.S.B. 1502 amends current law relating to county regulation of the removal and storage in certain counties of unlawfully stopped motor vehicles.

### **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 545.306, Transportation Code, as follows:

Sec. 545.306. REGULATION OF TOWING COMPANIES IN CERTAIN COUNTIES.

(a) Requires the commissioners court of a county with a population of 3.3 million or more to by order, rather than ordinance, provide for the licensing of or the granting of a permit to a person to remove or store a vehicle authorized by Section 545.305 (Removal of Unlawfully Stopped Vehicle) to be removed in an unincorporated area of the county.

(b) Authorizes the commissioners court of a county with a population of 3.3 million or more to by order provide for a person to remove or store a vehicle that is authorized by Section 545.305 to be removed and is located in the corporate boundaries of a municipality in the county only if the county has entered into an interlocal agreement with the municipality for that purpose.

(c) Creates this subsection from existing text. Requires that an order under Subsection (a) or (b), rather than the ordinance, include rules to ensure the protection of the public and the safe and efficient operation of towing and storage services in the county and may not regulate or restrict the use of lighting equipment more than the extent allowed by state and federal law. Requires the sheriff to determine the rules included in the order, rather than ordinance, with the review and consent of the commissioners court.

(d) Redesignates existing Subsection (b) as Subsection (d). Requires the commissioners court, for an order under Subsection (a), to set the fee for the license or permit in an amount that reasonably offsets the costs of enforcing the order, rather than ordinance. Makes a conforming change.

SECTION 2. Effective date: September 1, 2015.