

By: Garcia

S.B. No. 1502

A BILL TO BE ENTITLED

AN ACT

relating to county regulation of the removal and storage of unlawfully stopped motor vehicles; authorizing counties to require an occupational license or permit and impose a fee for the license or permit.

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

SECTION 1. The heading to Section 545.306, Transportation Code, is amended to read as follows:

Sec. 545.306. REGULATION OF TOWING COMPANIES [~~IN CERTAIN COUNTIES~~].

SECTION 2. Section 545.306, Transportation Code, is amended to read as follows:

(a) The commissioners court of a county may [~~with a population of 3.3 million or more shall~~] by order [~~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 to be removed in an unincorporated area of the county.

(b) The commissioners court of a county may by order 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 to be removed in an incorporated area of the county only if the county has entered into an interlocal agreement with the incorporated area to do so.

(c) An order [~~The ordinance~~] must include rules to ensure

1 the protection of the public and the safe and efficient operation of  
2 towing and storage services in the county and may not regulate or  
3 restrict the use of lighting equipment more than the extent allowed  
4 by state and federal law. The sheriff shall determine the rules  
5 included in the order [~~ordinance~~] with the review and consent of the  
6 commissioners court.

7       (d) [~~(b)~~] The commissioners court shall set the fee for the  
8 license or permit in an amount that reasonably offsets the costs of  
9 enforcing the order [~~ordinance~~]. The commissioners court shall use  
10 each license or permit fee to pay salaries and expenses of the  
11 sheriff's office for conducting inspections to determine  
12 compliance with the order [~~ordinance~~] and laws relating to dealers  
13 in scrap metal and salvage.

14       SECTION 3. This Act takes effect September 1, 2015.