

Amend CSSB 1501 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 2303.151, Occupations Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) If the operator of a vehicle storage facility sends a notice required under this section after the time prescribed by Subsection (a) or (b):

(1) the deadline for sending any subsequent notice is determined based on the date notice required this section is actually sent;

(2) the operator may not begin to charge the daily storage fee authorized under Section 2303.155(b)(3) for the vehicle that is the subject of the notice until 24 hours after the operator sends the notice required under this section; and

(3) the ability of the operator to seek foreclosure of a lien for storage charges on the vehicle that is the subject of the notice is not affected.

(g) Notwithstanding any other law, a state agency or county office may not require proof of delivery of a notice sent under this section in order to issue a title for the vehicle that is the subject of the notice if proof is provided that the notice was mailed in accordance with this section.

SECTION _____. Section 2303.154, Occupations Code, is amended by amending Subsections (a) and (a-1) and adding Subsections (d), (e), (f), and (g) to read as follows:

~~(a) [If a vehicle is not claimed by a person permitted to claim the vehicle or a law enforcement agency has not taken an action in response to a notice under Section 683.031(c), Transportation Code, before the 15th day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall send a second notice to the registered owner and the primary lienholder of the vehicle.~~

~~[(a-1)]~~ If a vehicle is not claimed by a person permitted to claim the vehicle before the 10th day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall consider the vehicle

to be abandoned and, if required by the law enforcement agency with jurisdiction where the vehicle is located, report the ~~send notice of~~ abandonment to the ~~a~~ law enforcement agency. If the law enforcement agency notifies the vehicle storage facility that the agency will send notices and dispose of the abandoned vehicle under Subchapter B, Chapter 683, Transportation Code, the vehicle storage facility shall pay the fee required under Section 683.031, Transportation Code.

(d) Not earlier than the 15th day and before the 21st day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of a vehicle storage facility shall send a second notice to the registered owner and each recorded lienholder of the vehicle if the facility:

(1) was not required to make a report under Subsection (a); or

(2) has made a required report under Subsection (a) and the law enforcement agency:

(A) has notified the facility that the law enforcement agency will not take custody of the vehicle;

(B) has not taken custody of the vehicle; or

(C) has not responded to the report.

(e) If the operator of a vehicle storage facility sends a notice required under this section outside of the time described by Subsection (d):

(1) the deadline for sending any subsequent notice is determined based on the date notice under this section is actually sent;

(2) the operator may not charge the daily storage fee authorized under Section 2303.155(b)(3) for the vehicle that is the subject of the notice during the period beginning on the 21st day after the date that notice under Section 2303.151 is sent and ending 24 hours after notice under this section is sent; and

(3) the ability of the operator to seek foreclosure of a lien for storage charges on the vehicle that is the subject of the notice is not affected.

(f) Notwithstanding any other law, a state agency or county office may not require proof of delivery of a notice sent under this

section in order to issue a title for the vehicle that is the subject of the notice if proof is provided that the notice was mailed in accordance with this section.

(g) A report sent under Subsection (a) may, at the discretion of the law enforcement agency, contain a list of more than one vehicle, watercraft, or outboard motor.

SECTION _____. Sections 2303.151 and 2303.154, Occupations Code, as amended by this Act, apply only to a vehicle accepted for storage by a vehicle storage facility on or after the effective date of this Act. A vehicle accepted for storage by a vehicle storage facility before the effective date of this Act is governed by the law in effect at the time the vehicle was accepted, and the former law is continued in effect for that purpose.