

Amend CSSB 1501 (house committee printing) as follows:

(1) On page 4, line 4, strike "Section 2308.205(a)" and substitute "Section 2308.205".

(2) On page 4, line 5, between "amended" and "to", insert "by amending Subsection (a) and adding Subsection (a-1)".

(3) On page 4, line 12, between "under" and "Section" insert the following:

:

(A) rules adopted under Subsection (a-1); or

(B)

(4) On page 4, between lines 12 and 13, insert the following:

(a-1) The commission shall adopt rules authorizing a towing company that makes a nonconsent tow from a parking facility to tow the vehicle to another location on the same parking facility under the direction of:

(1) the parking facility owner;

(2) a parking facility authorized agent; or

(3) a peace officer.

(5) On page 11, between lines 25 and 26, insert the following appropriately designated subsections and redesignate the existing subsections of the section accordingly:

(____) The Texas Commission of Licensing and Regulation shall adopt rules to implement Section 2308.205(a-1), Occupations Code, as added by this Act, as soon as practicable after the effective date of this Act.

(____) Section 2308.253(e), Occupations Code, as amended by this Act, applies only to a contract, including a lease or rental agreement, entered into on or after the effective date of this Act. A contract entered into before that date is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

(6) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. The heading to Section 2308.205, Occupations Code, is amended to read as follows:

Sec. 2308.205. TOWING OF [~~STORAGE OF TOWED~~] VEHICLES TO

LICENSED VEHICLE STORAGE FACILITIES OR OTHER LOCATIONS ON PARKING FACILITIES.

SECTION _____. Sections 2308.253(c), (d), and (e), Occupations Code, are amended to read as follows:

(c) A parking facility owner may not have an emergency vehicle described by Section 2308.251(b) towed [~~removed~~] from the parking facility.

(d) Except as provided by a contract described by Subsection (e), a parking facility owner may not have a vehicle towed [~~removed~~] from the parking facility merely because the vehicle does not display an unexpired license plate or registration insignia issued for the vehicle under Chapter 502, Transportation Code, or the vehicle registration law of another state or country.

(e) A contract provision providing for the towing [~~removal~~] from a parking facility of a vehicle that does not display an unexpired license plate or registration insignia is valid only if the provision requires the owner or operator of the vehicle to be given at least 10 days' written notice that the vehicle will be towed from the parking facility at the vehicle owner's or operator's expense if it is not removed from the parking facility. The notice must:

(1) state:

(A) that the vehicle does not display an unexpired license plate or registration insignia;

(B) that the vehicle will be towed at the expense of the owner or operator of the vehicle if the vehicle does not display an unexpired license plate or registration insignia; and

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

(2) be:

(A) [(1)] delivered in person to the owner or operator of the vehicle; [or]

(B) [(2)] sent by certified mail, return receipt requested, to that owner or operator; or

(C) attached:

(i) to the vehicle's front windshield;

(ii) to the vehicle's driver's side window;

or

(iii) if the vehicle has no front windshield or driver's side window, to a conspicuous part of the vehicle.