

By: Isaac

H.B. No. 2166

A BILL TO BE ENTITLED

AN ACT

relating to Texas Commission of Licensing and Regulation rules on fees for nonconsent vehicle tows and a study on those fees.

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

SECTION 1. Sections 2308.0575(a), (c), and (f), Occupations Code, are amended to read as follows:

(a) To protect the public health and safety, the commission by rule shall establish:

(1) the fees that may be charged in connection with a nonconsent [~~private property~~] tow;

(2) the maximum amount that may be charged for fees, other than tow fees, that may be assessed by a towing company in connection with a nonconsent [~~private property~~] tow; and

(3) a maximum amount that may be charged for the following nonconsent [~~private property~~] tows:

(A) standard light-duty tows of motor vehicles with a gross weight rating of 10,000 pounds or less;

(B) medium-duty tows of motor vehicles with a gross weight rating of more than 10,000 pounds, but less than 25,000 pounds; and

(C) heavy-duty tows of motor vehicles with a gross weight rating that exceeds 25,000 pounds.

(c) The commission may structure the maximum amounts that may be charged for nonconsent [~~private property~~] tows based on

1 hourly or flat fees or by geographic location.

2 (f) The department shall contract to conduct a study on
3 nonconsent [~~private property~~] towing fees under this section at
4 least once every two years.

5 SECTION 2. Section 2308.202, Occupations Code, is amended
6 to read as follows:

7 Sec. 2308.202. REGULATION BY POLITICAL SUBDIVISIONS OF FEES
8 FOR NONCONSENT TOWS. The governing body of a political subdivision
9 may regulate the fees that may be charged or collected in connection
10 with a nonconsent tow originating in the territory of the political
11 subdivision if the nonconsent [~~private property~~] tow fees:

- 12 (1) are authorized by commission rule; and
13 (2) do not exceed the maximum amount authorized by
14 commission rule.

15 SECTION 3. This Act takes effect September 1, 2017.