

By: Neave

H.B. No. 2426

A BILL TO BE ENTITLED

AN ACT

relating to notice of a person's right to a hearing placed on a sign prohibiting unauthorized vehicles on a parking facility.

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

SECTION 1. Section 2308.301(b), Occupations Code, is amended to read as follows:

(b) Except as provided by Section 2308.305, an unauthorized vehicle may be towed under Section 2308.252(a)(1) or booted under Section 2308.257 only if each sign prohibiting unauthorized vehicles:

(1) is made of weather-resistant material;

(2) is at least 18 inches wide and 24 inches tall;

(3) contains the international symbol for towing vehicles;

(4) contains a statement describing who may park in the parking facility and prohibiting all others;

(5) bears the words, as applicable:

(A) "Unauthorized Vehicles Will Be Towed or Booted at Owner's or Operator's Expense";

(B) "Unauthorized Vehicles Will Be Towed at Owner's or Operator's Expense"; or

(C) "Unauthorized Vehicles Will Be Booted at Owner's or Operator's Expense";

(6) contains a statement of the days and hours of

1 towing and booting enforcement; ~~and~~

2 (7) contains a number, including the area code, of a  
3 telephone that is answered 24 hours a day to enable an owner or  
4 operator of a vehicle to locate a towed vehicle or to arrange for  
5 removal of a boot from a vehicle; and

6 (8) contains a statement describing a person's right  
7 to request a court hearing to determine whether probable cause  
8 existed to remove, or install a boot on, a vehicle.

9 SECTION 2. Section 2308.302, Occupations Code, is amended  
10 by amending Subsection (d) and adding Subsection (f) to read as  
11 follows:

12 (d) Except as provided by Subsections ~~[Subsection]~~ (e) and  
13 (f), the next lower portion of the sign must contain the remaining  
14 information required by Section 2308.301(b) displayed in bright red  
15 letters at least one inch in height on a white background.

16 (f) A sign that otherwise meets the requirements of this  
17 subchapter meets the requirements of Section 2308.301(b)(8) if a  
18 separate sign installed directly above or below the sign contains  
19 the statement describing a person's right to request a hearing  
20 required by Section 2308.301(b)(8).

21 SECTION 3. This Act takes effect September 1, 2018.