

By: Miller

H.B. No. 2482

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain counties to operate a roadway clearance program; authorizing a fee.

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

SECTION 1. Subchapter E, Chapter 2308, Occupations Code, is amended by adding Section 2308.210 to read as follows:

Sec. 2308.210. ROADWAY CLEARANCE PROGRAM IN CERTAIN COUNTIES. (a) The commissioners court of a county adjacent to a county with a population of more than 3.3 million by order may establish a program under which an employee of the sheriff's department designated by the sheriff or the commissioners court is authorized to direct, without the involvement of a peace officer, a towing company to:

(1) remove from a roadway a vehicle that is impeding the safe movement of traffic; and

(2) relocate the vehicle to the closest safe location for the vehicle to be stored.

(b) An order under Subsection (a):

(1) must ensure the protection of the public and the safe and efficient operation of towing and storage services in the county; and

(2) may require a towing company to pay a fee, in addition to a fee under Section 2308.201 or 2308.209, for participation in the program. Fees under this subsection:

1 (A) shall be deposited to the credit of the
2 county's general fund; and

3 (B) may be used only to compensate the sheriff's
4 office for expenses and salaries associated with administering the
5 program.

6 (c) The commissioners court of a county operating a program
7 under this section:

8 (1) may enter into an agreement with a federal agency,
9 state agency, municipality, adjacent county, metropolitan rapid
10 transit authority, or regional planning organization or any other
11 governmental entity for the purpose of carrying out the program;
12 and

13 (2) may apply for grants and other funding to carry out
14 the program.

15 SECTION 2. This Act takes effect September 1, 2017.