

AN ACT

relating to the regulation of motor vehicle towing, booting, and storage and to the elimination of required state licensing for vehicle booting companies and operators; creating a criminal offense.

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

SECTION 1. The heading to Section 2303.056, Occupations Code, is amended to read as follows:

Sec. 2303.056. PERIODIC [~~AND RISK-BASED~~] INSPECTIONS.

SECTION 2. Section 2303.058, Occupations Code, is amended to read as follows:

Sec. 2303.058. ADVISORY BOARD. The Towing and Storage ~~and Booting~~ Advisory Board under Chapter 2308 shall advise the commission in adopting vehicle storage rules under this chapter.

SECTION 3. 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 by 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

1 that is the subject of the notice until 24 hours after the operator  
2 sends the notice required under this section; and

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

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

11 SECTION 4. Section 2303.154, Occupations Code, is amended  
12 by amending Subsections (a) and (a-1) and adding Subsections (d),  
13 (e), (f), and (g) to read as follows:

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

21 [(a-1)] If a vehicle is not claimed by a person permitted to  
22 claim the vehicle before the 10th day after the date notice is  
23 mailed or published under Section 2303.151 or 2303.152, the  
24 operator of the vehicle storage facility shall consider the vehicle  
25 to be abandoned and, if required by the law enforcement agency with  
26 jurisdiction where the vehicle is located, report the ~~[send notice~~  
27 ~~of]~~ abandonment to the ~~[a]~~ law enforcement agency. If the law

1 enforcement agency notifies the vehicle storage facility that the  
2 agency will send notices and dispose of the abandoned vehicle under  
3 Subchapter B, Chapter 683, Transportation Code, the vehicle storage  
4 facility shall pay the fee required under Section 683.031,  
5 Transportation Code.

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

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

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

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

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

18 (C) has not responded to the report.

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

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

25 (2) the operator may not charge the daily storage fee  
26 authorized under Section 2303.155(b)(3) for the vehicle that is the  
27 subject of the notice during the period beginning on the 21st day

1 after the date that notice under Section 2303.151 is sent and ending  
2 24 hours after notice under this section is sent; and

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

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

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

14 SECTION 5. Section 2303.1551(b), Occupations Code, is  
15 amended to read as follows:

16 (b) A vehicle storage facility accepting a nonconsent towed  
17 vehicle shall post a sign that complies with commission rules and  
18 states [in one inch letters stating] "Nonconsent tow fees schedules  
19 available on request." The vehicle storage facility shall provide  
20 a copy of a nonconsent towing fees schedule on request. The  
21 commission shall adopt rules for signs required under this  
22 subsection.

23 SECTION 6. Section 2308.002, Occupations Code, is amended  
24 by amending Subdivisions (1) and (8-a) and adding Subdivisions  
25 (5-b) and (8-b) to read as follows:

26 (1) "Advisory board" means the Towing and[7] Storage[7  
27 and Booting] Advisory Board.

1           (5-b) "Local authority" means a state or local  
2 governmental entity authorized to regulate traffic or parking and  
3 includes:

4                   (A) an institution of higher education; and

5                   (B) a political subdivision, including a county,  
6 municipality, special district, junior college district, housing  
7 authority, or other political subdivision of this state.

8           (8-a) "Peace officer" means a person who is a peace  
9 officer under Article 2.12, Code of Criminal Procedure.

10           (8-b) "Private property tow" means any tow of a  
11 vehicle authorized by a parking facility owner without the consent  
12 of the owner or operator of the vehicle.

13           SECTION 7. Effective September 1, 2018, Section 2308.004,  
14 Occupations Code, is amended to read as follows:

15           Sec. 2308.004. EXEMPTION.           Sections 2308.151(b),  
16 2308.2085, 2308.257, and 2308.258 do [(a) This chapter does] not  
17 apply to:

18                   (1) a person who, while exercising a statutory or  
19 contractual lien right with regard to a vehicle:

20                           (A) [(1)] installs or removes a boot; or

21                           (B) [(2)] controls, installs, or directs the  
22 installation and removal of one or more boots; or [.]

23                   (2) [(b) This chapter does not apply to] a commercial  
24 office building owner or manager who installs or removes a boot in  
25 the building's parking facility.

26           SECTION 8. Section 2308.051(a), Occupations Code, as  
27 amended by Chapters 457 (H.B. 2548) and 845 (S.B. 2153), Acts of the

1 81st Legislature, Regular Session, 2009, is reenacted and amended  
2 to read as follows:

3 (a) The advisory board consists of the following members  
4 appointed by the presiding officer of the commission with the  
5 approval of the commission:

6 (1) one representative of a towing company operating  
7 in a county with a population of less than one million;

8 (2) one representative of a towing company operating  
9 in a county with a population of one million or more;

10 (3) one representative [~~owner~~] of a vehicle storage  
11 facility located in a county with a population of less than one  
12 million;

13 (4) one representative [~~owner~~] of a vehicle storage  
14 facility located in a county with a population of one million or  
15 more;

16 (5) one parking facility representative [~~owner~~];

17 (6) one peace officer [~~law enforcement officer~~] from a  
18 county with a population of less than one million;

19 (7) one peace officer [~~law enforcement officer~~] from a  
20 county with a population of one million or more;

21 (8) one representative of a member insurer, as defined  
22 by Section 462.004, Insurance Code, of the Texas Property and  
23 Casualty Insurance Guaranty Association who writes [~~property and~~  
24 ~~casualty insurers who write~~] automobile insurance in this state;  
25 and

26 [~~(9) one representative of a booting company~~]

27 (9) one person who operates both a towing company and a

1 vehicle storage facility [~~public member~~].

2 SECTION 9. The heading to Section 2308.059, Occupations  
3 Code, is amended to read as follows:

4 Sec. 2308.059. PERIODIC [~~AND RISK-BASED~~] INSPECTIONS.

5 SECTION 10. Effective September 1, 2018, Section 2308.151,  
6 Occupations Code, is amended to read as follows:

7 Sec. 2308.151. LICENSE OR LOCAL AUTHORIZATION REQUIRED.

8 (a) Unless the person holds an appropriate license under this  
9 subchapter, a person may not:

10 (1) perform towing operations; or

11 (2) operate a towing company. [~~+~~]

12 (b) Unless a person is prohibited by a local authority under  
13 Section 2308.2085, a person may:

14 (1) [~~(3)~~] perform booting operations; and [~~or~~]

15 (2) [~~(4)~~] operate a booting company.

16 SECTION 11. The heading to Section 2308.205, Occupations  
17 Code, is amended to read as follows:

18 Sec. 2308.205. TOWING OF [~~STORAGE OF TOWED~~] VEHICLES TO  
19 LICENSED VEHICLE STORAGE FACILITIES OR OTHER LOCATIONS ON PARKING  
20 FACILITIES.

21 SECTION 12. Section 2308.205, Occupations Code, is amended  
22 by amending Subsection (a) and adding Subsection (a-1) to read as  
23 follows:

24 (a) A towing company that makes a nonconsent tow shall tow  
25 the vehicle to a vehicle storage facility that is operated by a  
26 person who holds a license to operate the facility under Chapter  
27 2303, unless:

1           (1) the towing company agrees to take the vehicle to a  
2 location designated by the vehicle's owner; or

3           (2) the vehicle is towed under:

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

5                   (B) Section 2308.259(b).

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

10                   (1) the parking facility owner;

11                   (2) a parking facility authorized agent; or

12                   (3) a peace officer.

13           SECTION 13. Section 2308.2085, Occupations Code, is amended  
14 to read as follows:

15           Sec. 2308.2085. LOCAL AUTHORITY REGULATION OF [~~MUNICIPAL~~  
16 ~~ORDINANCE—REGULATING~~] BOOTING ACTIVITIES [~~COMPANIES—AND~~  
17 ~~OPERATORS~~]. (a) A local authority [~~municipality~~] may regulate, in  
18 areas in which the entity regulates parking or traffic, [adopt an  
19 ~~ordinance that is identical to the] booting activities, including:~~

20                   (1) operation of booting companies and operators that  
21 operate on a parking facility;

22                   (2) any permit and sign requirements in connection  
23 with the booting of a vehicle; and

24                   (3) [provisions in this chapter or that imposes  
25 ~~additional requirements that exceed the minimum standards of the~~  
26 ~~booting provisions in this chapter but may not adopt an ordinance~~  
27 ~~that conflicts with the booting provisions in this chapter.~~

1       ~~[(b) A municipality may regulate the]~~ fees that may be  
2 charged in connection with the booting of a vehicle~~[, including~~  
3 ~~associated parking fees]~~.

4       (b) Regulations adopted under this section must:

5           (1) incorporate the requirements of Sections 2308.257  
6 and 2308.258;

7           (2) include procedures for vehicle owners and  
8 operators to file a complaint with the local authority regarding a  
9 booting company or operator; and

10          (3) provide for the imposition of a penalty on a  
11 booting company or operator for a violation of Section 2308.258

12 ~~[(c) A municipality may require booting companies to obtain a~~  
13 ~~permit to operate in the municipality]~~.

14       SECTION 14. Subchapter E, Chapter 2308, Occupations Code,  
15 is amended by adding Section 2308.210 to read as follows:

16       Sec. 2308.210. ROADWAY CLEARANCE PROGRAM IN CERTAIN  
17 COUNTIES; OFFENSE. (a) In this section, "freeway" has the meaning  
18 assigned by Section 541.302, Transportation Code.

19       (b) The commissioners court of a county adjacent to a county  
20 with a population of more than 3.3 million by order may establish a  
21 program:

22           (1) for maintaining the safe movement of traffic on  
23 county freeways; and

24           (2) under which a peace officer designated by the  
25 sheriff's office or the commissioners court is authorized to  
26 direct, at the scene of an incident or remotely, a towing company,  
27 only for the purpose of the program, to:

1           (A) remove from a freeway, including the shoulder  
2 of a freeway, a vehicle that is impeding the safe movement of  
3 traffic; and

4           (B) relocate the vehicle to the closest safe  
5 location for the vehicle to be stored.

6           (c) An order under Subsection (b) must ensure the protection  
7 of the public and the safe and efficient operation of towing and  
8 storage services in the county.

9           (d) The commissioners court of a county operating a program  
10 under this section:

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

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

18           (e) A towing company or towing operator commits an offense  
19 if the company or operator violates a provision of an order  
20 establishing a program under this section relating to:

21           (1) the presence of a tow truck at the scene of an  
22 incident on a freeway or other area under the jurisdiction of the  
23 program; or

24           (2) the offering of towing or related services on a  
25 freeway or other area under the jurisdiction of the program.

26           (f) An offense under Subsection (e) is a misdemeanor  
27 punishable by a fine of not less than \$1 or more than \$200.

1 SECTION 15. Sections 2308.253(c), (d), and (e), Occupations  
2 Code, are amended to read as follows:

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

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

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

20 (1) state:

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

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

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

1 vehicle; and

2 (2) be:

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

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

7 (C) attached:

8 (i) to the vehicle's front windshield;

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

10 or

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

14 SECTION 16. Section 2308.255, Occupations Code, is amended  
15 to read as follows:

16 Sec. 2308.255. TOWING COMPANY'S [~~OR BOOT OPERATOR'S~~]  
17 AUTHORITY TO TOW [~~REMOVE~~] AND STORE [~~OR BOOT~~] UNAUTHORIZED VEHICLE.

18 (a) A towing company [~~that is insured as provided by Subsection~~  
19 ~~(c)~~] may, without the consent of an owner or operator of an  
20 unauthorized vehicle, tow the vehicle to [~~remove~~] and store the  
21 vehicle at a vehicle storage facility at the expense of the owner or  
22 operator of the vehicle if:

23 (1) the towing company has received written  
24 verification from the parking facility owner that:

25 (A) [~~the parking facility owner has installed~~]  
26 the signs required by Section 2308.252(a)(1) are posted; or

27 (B) the owner or operator received notice under

1 Section 2308.252(a)(2) or the parking facility owner gave notice  
2 complying with Section 2308.252(a)(3); or

3 (2) on request the parking facility owner provides to  
4 the owner or operator of the vehicle information on the name of the  
5 towing company and vehicle storage facility that will be used to tow  
6 ~~[remove]~~ and store the vehicle and the vehicle is:

7 (A) left in violation of Section 2308.251;

8 (B) in or obstructing a portion of a paved  
9 driveway; or

10 (C) on a public roadway used for entering or  
11 exiting the facility and the tow ~~[removal]~~ is approved by a peace  
12 officer.

13 (b) A towing company may not tow ~~[remove]~~ an unauthorized  
14 vehicle except under:

15 (1) this chapter;

16 (2) a municipal ordinance that complies with Section  
17 2308.208; or

18 (3) the direction of:

19 (A) a peace officer; or

20 (B) the owner or operator of the vehicle.

21 (c) Only a towing company that is insured against liability  
22 for property damage incurred in towing a vehicle may tow ~~[remove]~~  
23 and store an unauthorized vehicle under this section.

24 (d) A towing company may tow ~~[remove]~~ and store a vehicle  
25 under Subsection (a) ~~[and a boot operator may boot a vehicle under~~  
26 ~~Section 2308.257]~~ only if the parking facility owner:

27 (1) requests that the towing company tow ~~[remove]~~ and

1 store [~~or that the boot operator boot~~] the specific vehicle; or

2 (2) has a standing written agreement with the towing  
3 company [~~or boot operator~~] to enforce parking restrictions in the  
4 parking facility.

5 (e) When a tow truck is used for a nonconsent tow authorized  
6 by a peace officer under Section 545.3051, Transportation Code, the  
7 operator of the tow truck and the towing company are agents of the  
8 law enforcement agency and are subject to Section 545.3051(e),  
9 Transportation Code.

10 SECTION 17. Section 2308.257(b), Occupations Code, is  
11 amended to read as follows:

12 (b) A boot operator that installs a boot on a vehicle must  
13 affix a conspicuous notice to the vehicle's front windshield or  
14 driver's side window stating:

15 (1) that the vehicle has been booted and damage may  
16 occur if the vehicle is moved;

17 (2) the date and time the boot was installed;

18 (3) the name, address, and telephone number of the  
19 booting company;

20 (4) a telephone number that is answered 24 hours a day  
21 to enable the owner or operator of the vehicle to arrange for  
22 removal of the boot;

23 (5) the amount of the fee for removal of the boot and  
24 any associated parking fees; [~~and~~]

25 (6) notice of the right of a vehicle owner or vehicle  
26 operator to a hearing under Subchapter J; and

27 (7) in the manner prescribed by the local authority,

1 notice of the procedure to file a complaint with the local authority  
2 for violation of this chapter by a boot operator.

3 SECTION 18. Subchapter F, Chapter 2308, Occupations Code,  
4 is amended by adding Sections 2308.258 and 2308.259 to read as  
5 follows:

6 Sec. 2308.258. BOOT REMOVAL. (a) A booting company  
7 responsible for the installation of a boot on a vehicle shall remove  
8 the boot not later than one hour after the time the owner or  
9 operator of the vehicle contacts the company to request removal of  
10 the boot.

11 (b) A booting company shall waive the amount of the fee for  
12 removal of a boot, excluding any associated parking fees, if the  
13 company fails to have the boot removed within the time prescribed by  
14 Subsection (a).

15 (c) A booting company responsible for the installation of  
16 more than one boot on a vehicle may not charge a total amount for the  
17 removal of the boots that is greater than the amount of the fee for  
18 the removal of a single boot.

19 Sec. 2308.259. TOWING COMPANY'S AUTHORITY TO TOW VEHICLE  
20 FROM UNIVERSITY PARKING FACILITY. (a) In this section:

21 (1) "Special event" means a university-sanctioned,  
22 on-campus activity, including parking lot maintenance.

23 (2) "University" means:

24 (A) a public senior college or university, as  
25 defined by Section 61.003, Education Code; or

26 (B) a private or independent institution of  
27 higher education, as defined by Section 61.003, Education Code.

1       (b) Subject to Subsection (c), an individual designated by a  
2 university may, to facilitate a special event, request that a  
3 vehicle parked at a university parking facility be towed to another  
4 location on the university campus.

5       (c) A vehicle may not be towed under Subsection (b) unless  
6 signs complying with this section are installed on the parking  
7 facility for the 72 hours preceding towing enforcement for the  
8 special event and for 48 hours after the conclusion of the special  
9 event.

10       (d) Each sign required under Subsection (c) must:

11           (1) contain:

12                   (A) a statement of:

13                           (i) the nature of the special event; and

14                           (ii) the dates and hours of towing  
15 enforcement; and

16                   (B) the number, including the area code, of a  
17 telephone that is answered 24 hours a day to identify the location  
18 of a towed vehicle;

19           (2) face and be conspicuously visible to the driver of  
20 a vehicle that enters the facility;

21           (3) be located:

22                   (A) on the right or left side of each driveway or  
23 curb-cut through which a vehicle can enter the facility, including  
24 an entry from an alley abutting the facility; or

25                   (B) at intervals along the entrance so that no  
26 entrance is farther than 25 feet from a sign if:

27                           (i) curbs, access barriers, landscaping, or

1 driveways do not establish definite vehicle entrances onto a  
2 parking facility from a public roadway other than an alley; and

3 (ii) the width of an entrance exceeds 35  
4 feet;

5 (4) be made of weather-resistant material;

6 (5) be at least 18 inches wide and 24 inches tall;

7 (6) be mounted on a pole, post, wall, or free-standing  
8 board; and

9 (7) be installed so that the bottom edge of the sign is  
10 no lower than two feet and no higher than six feet above ground  
11 level.

12 (e) If a vehicle is towed under Subsection (b), personnel  
13 must be available to:

14 (1) release the vehicle within two hours after a  
15 request for release of the vehicle; and

16 (2) accept any payment required for the release of the  
17 vehicle.

18 (f) A university may not charge a fee for a tow under  
19 Subsection (b) that exceeds 75 percent of the private property tow  
20 fee established under Section [2308.0575](#).

21 (g) A vehicle towed under Subsection (b) that is not claimed  
22 by the vehicle owner or operator within 48 hours after the  
23 conclusion of the special event may only be towed:

24 (1) without further expense to the vehicle owner or  
25 operator; and

26 (2) to another location on the university campus.

27 (h) The university must notify the owner or operator of a

1 vehicle towed under Subsection (b) of the right of the vehicle owner  
2 or operator to a hearing under Subchapter J.

3 SECTION 19. The heading to Subchapter I, Chapter 2308,  
4 Occupations Code, is amended to read as follows:

5 SUBCHAPTER I. REGULATION OF TOWING COMPANIES [~~7, BOOTING COMPANIES, 7~~]  
6 AND PARKING FACILITY OWNERS

7 SECTION 20. (a) The following provisions of the  
8 Occupations Code are repealed:

- 9 (1) Sections 2303.056(c) and (d);  
10 (2) Section 2308.002(9);  
11 (3) Sections 2308.059(b) and (c); and  
12 (4) Section 2308.103(d).

13 (b) Effective September 1, 2018, Sections 2308.1551,  
14 2308.1555, and 2308.1556, Occupations Code, are repealed.

15 SECTION 21. Sections 2303.151 and 2303.154, Occupations  
16 Code, as amended by this Act, apply only to a vehicle accepted for  
17 storage by a vehicle storage facility on or after the effective date  
18 of this Act. A vehicle accepted for storage by a vehicle storage  
19 facility before the effective date of this Act is governed by the  
20 law in effect at the time the vehicle was accepted, and the former  
21 law is continued in effect for that purpose.

22 SECTION 22. (a) On September 1, 2018, a license issued  
23 under former Section 2308.1551, 2308.1555, or 2308.1556,  
24 Occupations Code, expires.

25 (b) The changes in law made by this Act to Section  
26 2308.051(a), Occupations Code, regarding the qualifications for a  
27 member of the Towing and Storage Advisory Board do not affect the

1 entitlement of a member serving on the board immediately before the  
2 effective date of this Act to continue to serve and function as a  
3 member of the board for the remainder of the member's term. When  
4 board vacancies occur on or after the effective date of this Act,  
5 the presiding officer of the Texas Commission of Licensing and  
6 Regulation shall appoint new members to the board in a manner that  
7 reflects the changes in law made by this Act.

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

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

18 (e) The changes in law made by this Act to Section 2308.255,  
19 Occupations Code, do not apply to the booting of a vehicle pursuant  
20 to a standing written agreement between a booting company and a  
21 parking facility owner entered into before the effective date of  
22 this Act. The booting of a vehicle pursuant to a standing written  
23 agreement entered into before the effective date of this Act is  
24 governed by the law as it existed immediately before the effective  
25 date of this Act, and that law is continued in effect for that  
26 purpose.

27 SECTION 23. Except as otherwise provided by this Act, this

1 Act takes effect immediately if it receives a vote of two-thirds of  
2 all the members elected to each house, as provided by Section 39,  
3 Article III, Texas Constitution. If this Act does not receive the  
4 vote necessary for immediate effect, this Act takes effect  
5 September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1501 passed the Senate on April 25, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 25, 2017, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1501 passed the House, with amendments, on May 20, 2017, by the following vote: Yeas 135, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor