

BILL ANALYSIS

H.B. 1568
By: Hernandez
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that while vehicle removal is the single most effective enforcement tool available to address abandoned vehicles, illegal parking in tow-away zones, and illegal vehicles-for-hire, peace officers often have more pressing public safety matters to address, which could delay the response to a request to tow such a vehicle. H.B. 1568 seeks to address this issue by providing for the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked or operated vehicles.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1568 amends the Local Government Code to authorize a home-rule municipality, under an ordinance of the municipality regulating the operation of vehicles for hire in the municipality and for the purpose of aiding in the enforcement of the ordinance, to authorize a designated employee to request the removal of a vehicle operated in violation of the ordinance. The bill authorizes a towing company and a vehicle storage facility to remove and store, respectively, a vehicle requested to be removed by the designated employee without authorization by a peace officer for the removal or storage.

H.B. 1568 amends the Occupations Code to authorize an employee designated by a municipality, under an ordinance of the municipality regulating the parking of vehicles in the municipality and for the purpose of aiding in the enforcement of the ordinance, to be authorized to request the removal and storage of a vehicle that is located in an area where on-street parking is regulated by the ordinance and that is parked illegally or that is parked legally and has been unattended for more than 48 hours and the employee has reasonable grounds to believe is abandoned. The bill includes such a designated employee as a person under whose direction a parking facility owner or towing company may remove a vehicle from a public roadway.

EFFECTIVE DATE

September 1, 2019.