86R3721 BEE-D

By:  Neave H.B. No. 626

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 towing and booting enforcement; [~~and~~]

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

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

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

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

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

SECTION 3.  This Act takes effect September 1, 2020.