

By: Lucio

S.B. No. 1713

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the towing and booting of unauthorized vehicles on a
3 parking facility during certain hours.

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

5 SECTION 1. Section 2308.255(d), Occupations Code, is
6 amended to read as follows:

7 (d) A towing company may tow and store a vehicle under
8 Subsection (a) only if the parking facility owner:

9 (1) requests that the towing company tow and store the
10 specific vehicle; or

11 (2) except as provided by Section 2308.2551, has a
12 standing written agreement with the towing company to enforce
13 parking restrictions in the parking facility.

14 SECTION 2. Subchapter F, Chapter 2308, Occupations Code, is
15 amended by adding Section 2308.2551 to read as follows:

16 Sec. 2308.2551. ADDITIONAL REQUIREMENTS FOR TOWING DURING
17 CERTAIN HOURS. (a) A towing company may tow and store a vehicle
18 under Section 2308.255(a) between the hours of 8 a.m. and 5 p.m. on
19 a weekday only if the parking facility owner requests in writing
20 that the towing company tow and store the specific vehicle.

21 (b) A written request required under Subsection (a) must:

22 (1) include:

23 (A) a statement that the vehicle is to be towed
24 and stored at the request of the parking facility owner;

1 (B) the name of the parking facility owner; and
2 (C) the parking facility owner's justification
3 for requesting the removal of the vehicle and photographs, if any,
4 supporting the justification; and
5 (2) be maintained by the towing company for at least 90
6 days after the date the request was made.

7 SECTION 3. Subchapter F, Chapter 2308, Occupations Code, is
8 amended by adding Section 2308.2571 to read as follows:

9 Sec. 2308.2571. ADDITIONAL REQUIREMENTS FOR BOOTING DURING
10 CERTAIN HOURS. (a) A boot operator may install a boot on a vehicle
11 located on a parking facility between the hours of 8 a.m. and 5 p.m.
12 on a weekday only if the parking facility owner requests in writing
13 that the boot operator install a boot on the vehicle.

14 (b) A written request required under Subsection (a) must:
15 (1) include:
16 (A) a statement that a boot is to be installed on
17 the vehicle at the request of the parking facility owner;
18 (B) the name of the parking facility owner; and
19 (C) the parking facility owner's justification
20 for requesting the installation of the boot on the vehicle and
21 photographs, if any, supporting the justification; and
22 (2) be maintained by the booting company for at least
23 90 days after the date the request was made.

24 SECTION 4. The changes in law made by this Act apply only to
25 the towing or booting of a vehicle initiated on or after the
26 effective date of this Act. The towing or booting of a vehicle
27 initiated before the effective date of this Act is governed by the

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1 law in effect at the time the towing or booting was initiated, and
2 the former law is continued in effect for that purpose.

3 SECTION 5. This Act takes effect September 1, 2019.