

By: Hinojosa of Hidalgo

S.B. No. 42

A BILL TO BE ENTITLED

AN ACT

relating to consent towing fees charged during a declared disaster.

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

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

SUBCHAPTER L. MISCELLANEOUS PROVISIONS

Sec. 2308.551. CONSENT TOW FEES DURING DECLARED DISASTER.

(a) A towing company may not take advantage of a disaster declared by the governor under Chapter 418, Government Code, or by the president of the United States by demanding an exorbitant or excessive price for a consent tow.

(b) A county judge may establish:

(1) the fees that a towing company may charge in connection with a consent tow during a declared disaster described by Subsection (a) in the county;

(2) the maximum amount a towing company may charge for fees, other than tow fees, in connection with a consent tow during a declared disaster described by Subsection (a) in the county; and

(3) a maximum amount that a towing company may charge for the following consent tows during a declared disaster described by Subsection (a) in the county:

(A) standard light-duty tows of motor vehicles with a gross weight rating of 10,000 pounds or less;

(B) medium-duty tows of motor vehicles with a

1 gross weight rating of more than 10,000 pounds but less than 25,000
2 pounds; and

3 (C) heavy-duty tows of motor vehicles with a
4 gross weight rating that exceeds 25,000 pounds.

5 SECTION 2. This Act takes effect on the 91st day after the
6 last day of the legislative session.