

## **BILL ANALYSIS**

Senate Research Center  
89R3007 AJZ-D

S.B. 857  
By: Schwertner  
Transportation  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

With the increasing number of drivers operating vehicles without valid licenses or proper insurance, S.B. 857 is particularly relevant in enhancing public safety and maintaining accountability on the roads. Drivers with suspended, revoked, or no licenses often pose a heightened risk, as they may not meet basic legal requirements, including driving education, insurance, or even knowledge of traffic laws. Allowing officers the authority to tow these vehicles directly improves safety for all road users.

S.B. 857 would grant law enforcement officers the discretion to tow vehicles if the driver is unlicensed, has a suspended, canceled, or revoked license, or fails to provide valid proof of insurance. This bill addresses a critical gap in public safety by providing law enforcement with an additional tool to better ensure compliance with licensing and insurance laws.

#### **Key Provisions**

The bill proposes amendments to the Texas Transportation Code, specifically Section 545.305, to authorize law enforcement officers to tow vehicles under the following circumstances:

**Unlicensed Drivers:** Vehicles operated by individuals who have not been issued a valid driver's license or permit.

**Suspended, Canceled, or Revoked Licenses:** Vehicles operated by individuals whose driving privileges have been suspended, canceled, or revoked.

**Insurance Violations:** Vehicles operated in violation of Section 601.191, which pertains to required vehicle insurance.

As proposed, S.B. 857 amends current law relating to the authorized removal of certain motor vehicles.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 545.305, Transportation Code, to read as follows:

Sec. 545.305. AUTHORIZED REMOVAL OF CERTAIN MOTOR VEHICLES.

SECTION 2. Amends Section 545.305(a), Transportation Code, as follows:

(a) Authorizes a peace officer listed under Article 2A.001 (Peace Officers Generally), Code of Criminal Procedure, or a license and weight inspector of the Department of Public Safety to remove or require the operator or a person in charge of a vehicle to move a vehicle from a highway if the vehicle:

(1)-(7) makes no changes to these subdivisions;

(8) is operated by a person:

(A) creates this paragraph from existing text and makes no further changes; or

(B) in violation of Section 521.021 (License Required), 521.457 (Driving While License Invalid), 601.191 (Operation of Motor Vehicle in Violation of Motor Vehicle Liability Insurance Requirement; Offense), or 729.002 (Operation of Motor Vehicle by Minor Without License); or

(9) makes no changes to this subdivision.

SECTION 3. Effective date: September 1, 2025.