

By: Schwertner

S.B. No. 857

A BILL TO BE ENTITLED

AN ACT

relating to the authorized removal of certain motor vehicles.

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

SECTION 1. The heading to Section 545.305, Transportation Code, is amended to read as follows:

Sec. 545.305. AUTHORIZED REMOVAL OF CERTAIN MOTOR VEHICLES
~~[UNLAWFULLY STOPPED VEHICLE]~~.

SECTION 2. Section 545.305(a), Transportation Code, is amended to read as follows:

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

(1) is unattended on a bridge, viaduct, or causeway or in a tube or tunnel and the vehicle is obstructing traffic;

(2) is unlawfully parked and blocking the entrance to a private driveway;

(3) has been reported as stolen;

(4) is identified as having been stolen in a warrant issued on the filing of a complaint;

(5) is unattended and the officer has reasonable grounds to believe that the vehicle has been abandoned for longer than 48 hours;

(6) is disabled so that normal operation is impossible

1 or impractical and the owner or person in charge of the vehicle is:

2 (A) incapacitated and unable to provide for the
3 vehicle's removal or custody; or

4 (B) not in the immediate vicinity of the vehicle;

5 (7) is disabled so that normal operation is impossible
6 or impractical and the owner or person in charge of the vehicle does
7 not designate a particular towing or storage company;

8 (8) is operated by a person:

9 (A) an officer arrests for an alleged offense and
10 the officer is required by law to take the person into custody; or

11 (B) in violation of Section 521.021, 521.457,
12 601.191, or 729.002; or

13 (9) is, in the opinion of the officer, a hazard,
14 interferes with a normal function of a governmental agency, or
15 because of a catastrophe, emergency, or unusual circumstance is
16 imperiled.

17 SECTION 3. This Act takes effect September 1, 2025.