

1-1 By: Schwertner S.B. No. 857
1-2 (In the Senate - Filed January 22, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Transportation;
1-4 March 13, 2025, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 13, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Nichols	X		
1-9	West	X		
1-10	Bettencourt	X		
1-11	Hagenbuch	X		
1-12	Hinojosa of Hidalgo	X		
1-13	Johnson	X		
1-14	King	X		
1-15	Miles	X		
1-16	Perry	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the authorized removal of certain motor vehicles.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. The heading to Section 545.305, Transportation
1-22 Code, is amended to read as follows:

1-23 Sec. 545.305. AUTHORIZED REMOVAL OF CERTAIN MOTOR VEHICLES
1-24 [UNLAWFULLY STOPPED VEHICLE].

1-25 SECTION 2. Section 545.305(a), Transportation Code, is
1-26 amended to read as follows:

1-27 (a) A peace officer listed under Article 2A.001, Code of
1-28 Criminal Procedure, or a license and weight inspector of the
1-29 department may remove or require the operator or a person in charge
1-30 of a vehicle to move a vehicle from a highway if the vehicle:

1-31 (1) is unattended on a bridge, viaduct, or causeway or
1-32 in a tube or tunnel and the vehicle is obstructing traffic;

1-33 (2) is unlawfully parked and blocking the entrance to
1-34 a private driveway;

1-35 (3) has been reported as stolen;

1-36 (4) is identified as having been stolen in a warrant
1-37 issued on the filing of a complaint;

1-38 (5) is unattended and the officer has reasonable
1-39 grounds to believe that the vehicle has been abandoned for longer
1-40 than 48 hours;

1-41 (6) is disabled so that normal operation is impossible
1-42 or impractical and the owner or person in charge of the vehicle is:

1-43 (A) incapacitated and unable to provide for the
1-44 vehicle's removal or custody; or

1-45 (B) not in the immediate vicinity of the vehicle;

1-46 (7) is disabled so that normal operation is impossible
1-47 or impractical and the owner or person in charge of the vehicle does
1-48 not designate a particular towing or storage company;

1-49 (8) is operated by a person:

1-50 (A) an officer arrests for an alleged offense and
1-51 the officer is required by law to take the person into custody; or

1-52 (B) in violation of Section 521.021, 521.457,
1-53 601.191, or 729.002; or

1-54 (9) is, in the opinion of the officer, a hazard,
1-55 interferes with a normal function of a governmental agency, or
1-56 because of a catastrophe, emergency, or unusual circumstance is
1-57 imperiled.

1-58 SECTION 3. This Act takes effect September 1, 2025.

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