

By: Alvarado

S.B. No. 1175

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the biennial adjustment of certain towing fees and  
3 maximum charges.

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

5 SECTION 1. Section 2308.0575, Occupations Code, is amended  
6 to read as follows:

7 Sec. 2308.0575. BIENNIAL ADJUSTMENT OF CERTAIN [~~RULES ON~~  
8 FEES AND MAXIMUM CHARGES [~~, CONTRACT FOR STUDY, CONFIDENTIAL~~  
9 ~~INFORMATION~~]. (a) In this section, "consumer price index" means  
10 the Consumer Price Index for All Urban Consumers (CPI-U) published  
11 by the Bureau of Labor Statistics of the United States Department of  
12 Labor.

13 (b) To protect the public health and safety and subject to  
14 Subsection (c), in each odd-numbered year the commission, not later  
15 than November 1, by rule may adjust [~~shall establish~~]:

16 (1) the fees that may be charged in connection with a  
17 private property tow;

18 (2) the maximum amount that may be charged for fees,  
19 other than tow fees, that may be assessed by a towing company in  
20 connection with a private property tow; and

21 (3) a maximum amount that may be charged for the  
22 following private property tows:

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

1 (B) medium-duty tows of motor vehicles with a  
2 gross weight rating of more than 10,000 pounds, but less than 25,000  
3 pounds; and

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

6 (c) The commission may adjust fees and maximum charge  
7 amounts under Subsection (b) by an amount equal to the amount of the  
8 applicable fee or charge amount in effect on December 31 of the  
9 preceding year multiplied by the percentage increase or decrease in  
10 the consumer price index during the most immediate preceding state  
11 fiscal biennium.

12 (d) If a fee or maximum charge amount is adjusted under this  
13 section, the commission shall publish the adjusted fee or amount on  
14 the department's Internet website.

15 (e) A fee or maximum charge amount adjusted under this  
16 section is effective beginning the January 1 following the adoption  
17 of a rule under this section.

18 (f) If a fee or maximum charge amount is decreased under  
19 this section, the operator of a vehicle towing company, as defined  
20 by Section 2308.002, shall begin charging the adjusted fee or  
21 amount on the effective date of the decrease. If a fee or maximum  
22 charge amount is increased under this section, the operator may  
23 begin charging the adjusted fee or amount at any time on or after  
24 the effective date of the increase.

25 ~~[(b) In adopting rules under Subsection (a), the commission~~  
26 ~~shall contract for a study that:~~

27 ~~[(1) examines towing fee studies conducted by~~

1 ~~municipalities in this state, and~~

2 ~~[(2) analyzes the cost of towing services by company,~~  
3 ~~the consumer price index, the geographic area, and individual cost~~  
4 ~~components.]~~

5 ~~[(c) The commission may structure the maximum amounts that~~  
6 ~~may be charged for private property tows based on hourly or flat~~  
7 ~~fees or by geographic location.]~~

8 ~~[(d) The commission shall maintain the confidentiality of~~  
9 ~~information contained in a study conducted under this section that~~  
10 ~~is claimed to be confidential for competitive purposes and may not~~  
11 ~~release information that identifies a person or company. The~~  
12 ~~confidential information is exempt from disclosure under Chapter~~  
13 ~~552, Government Code.]~~

14 ~~[(e) To protect the confidentiality of the information, the~~  
15 ~~commission shall aggregate the information to the maximum extent~~  
16 ~~possible considering the purpose of the study.]~~

17 ~~[(f) The department shall contract to conduct a study on~~  
18 ~~private property towing fees under this section at least once every~~  
19 ~~two years.]~~

20 SECTION 2. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2025.