

BILL ANALYSIS

Senate Research Center

H.B. 914
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Vehicle removal is the single most effective enforcement tool available to address abandoned or illegally parked vehicles. Under current state law only peace officers have the authority to tow these vehicles despite the fact that they often have more pressing public safety matters to address.

H.B. 914 would authorize a designated municipal employee to request the towing and storage of vehicles that are either illegally parked or abandoned. Allowing parking compliance officers the authority to tow vehicles will result in public right-of-ways being cleared in a more timely manner and will allow police officers to focus on more serious public safety concerns.

H.B. 914 amends current law relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked 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 Section 2308.354, Occupations Code, as follows:

Sec. 2308.354. **AUTHORITY FOR REMOVAL OF VEHICLE FROM PUBLIC ROADWAY.** (a) Authorizes an employee designated by the municipality, under an ordinance of a municipality regulating the parking of vehicles in the municipality, to aid in the enforcement of the ordinance, to be authorized to:

(1) and (2) makes nonsubstantive changes to these subdivisions; and

(3) request the removal and storage of a vehicle that is located in an area where on-street parking is regulated by the ordinance and that:

(A) is parked illegally; or

(B) is parked legally and:

(i) has been unattended for more than 48 hours; and

(ii) the employee has reasonable grounds to believe is abandoned.

(b) Prohibits a parking facility owner or towing company from removing a vehicle from a public roadway except under:

(1) makes no changes to this subdivision; or

(2) the direction of a peace officer, a municipal employee under Subsection (a)(3), or the owner or operator of the vehicle.

(c) Provides that Subsection (a) does not apply to a vehicle owned by an electric, gas, water, or telecommunications utility while the vehicle is parked for the purpose of conducting work on a facility of the utility that is located below, above, or adjacent to the street.

Deletes existing text authorizing a municipality with a population of 1.9 million or more, in addition to the authority granted under Subsection (a) and to aid in the enforcement of an ordinance regulating the parking of vehicles, to authorize a designated employee to request the removal of a vehicle parked illegally in an area designated as a tow-away zone in a residential area where on-street parking is regulated by the ordinance. Makes a conforming change.

SECTION 2. Effective date: September 1, 2021.