

- SUBJECT:** Defining a junked vehicle for purposes of public nuisance abatement
- COMMITTEE:** Urban Affairs — committee substitute recommended
- VOTE:** 11 ayes — Y. Davis, C. Howard, Alvarado, Fletcher, Gutierrez, Kent, Mallory Caraway, Miklos, Pierson, C. Turner, Walle
0 nays
- WITNESSES:** For — (*Registered, but did not testify:* Snapper Carr, City of Irving; Larry Casto, City of Dallas; Robert Floyd, City of Lubbock; Darrin Hall, City of Houston)
Against — None
- BACKGROUND:** Transportation Code, ch. 683, subch. E states that junked motor vehicles visible from a public place or public right-of-way are a public nuisance, and authorizes cities and counties to abate them. Sec. 683.071 defines a “junked vehicle” as a vehicle that is self-propelled and does not have an unexpired license plate or valid motor vehicle inspection certificate attached to it, and which is wrecked, wholly or partially dismantled, or discarded, or has remained inoperable for more than 72 consecutive hours if it is on public property or 30 consecutive days if it is on private property.
- DIGEST:** CSHB 1413 would amend the definition of a “junked vehicle” to one that was self-propelled and displayed an expired license plate or invalid motor vehicle inspection certificate or did not display a license plate or inspection certificate. The current requirement that to be considered junked the vehicle had to be wrecked or dismantled or inoperable for a certain period of time would remain.

The bill would take effect September 1, 2009.
- NOTES:** The substitute differs from the bill as filed by removing the current statute’s requirement that an unexpired license plate or inspection certificate be lawfully attached to the vehicle.