

BILL ANALYSIS

Senate Research Center
79R4686 JD-D

S.B. 340
By: Whitmire
Intergovernmental Relations
2/8/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current state law is silent on whether a municipality may lease segments of a state highway to private towing companies in order to perform mandatory non-consent tows. As proposed, S.B. 340 prohibits municipalities or their agents from entering into contracts with private tow companies for the purpose of performing mandatory non-consent tows. As proposed, this bill also prohibits city ordinances or codes granting tow companies the right to perform mandatory non-consent tows on state highways.

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 Subchapter G, Chapter 545, Transportation Code, by adding Section 545.3055, as follows:

Sec. 545.3055. REMOVAL OF DISABLED VEHICLES FROM FREEWAY. (a)
Defines "freeway."

(b) Specifies to which vehicles this section does not apply.

(c) Prohibits, notwithstanding any other provision of this code or other law, a municipality from granting, by agreement or otherwise, or authorizing certain others to grant, by agreement or otherwise, an exclusive right to one or more towing companies to remove a disabled vehicle from a designated segment of a freeway in the municipality without the consent of the owner, operator, or person in charge of the vehicle.

SECTION 2. Effective date: upon passage or September 1, 2005.