

## **BILL ANALYSIS**

Senate Research Center  
80R6582 ACP-D

H.B. 90  
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Transportation & Homeland Security  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law prohibits the release of a vehicle from a vehicle storage facility to the vehicle's owner if the owner's name and address do not match the name and address on the vehicle title, unless the owner furnishes a notarized affidavit of right to possession or control.

H.B. 90 prohibits a vehicle storage facility from refusing to release a vehicle to its owner or operator or requiring a notarized affidavit for the vehicle's release solely because the owner's address on the owner's driver's license does not match the address on the vehicle title. The bill also requires such facilities to accept evidence of financial responsibility as an additional form of identification that establishes ownership or right of possession or control of the vehicle.

### **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 D, Chapter 2303, Occupations Code, by adding Section 2303.160, as follows:

Sec. 2303.160. RELEASE OF VEHICLES. (a) Prohibits a vehicle storage facility from refusing to release a vehicle to the owner or operator of the vehicle or requiring a sworn affidavit of the owner or operator of the vehicle solely because the owner or operator presents valid photo identification issued by this state, another state, or a federal agency that includes a different address than the address contained in the title and registration records of the vehicle.

(b) Requires a vehicle storage facility to accept evidence of financial responsibility, as required by Section 601.051, Transportation Code, as an additional form of identification that establishes ownership or right of possession or control of the vehicle.

(c) Provides that Subsection (b) does not require a vehicle storage facility to release a vehicle to the owner or operator of the vehicle if that person does not pay the charges associated with delivery or storage of the vehicle and present valid photo identification.

SECTION 2. Effective date: September 1, 2007.