

BILL ANALYSIS

Senate Research Center

S.B. 1502
By: Garcia
Transportation
4/6/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The City of Houston has established a successful freeway incident management program to help address traffic problems in the greater Houston area. An important component of this program has been the engagement of the towing industry to rapidly remove disabled vehicles from the freeway system. The quick removal of these vehicles enhances safety for all freeway users, including the reduction of secondary crashes, which can be more severe than the initial incident, and restores the normal flow of traffic.

Due to the success of Houston's program, there is interest in establishing a similar program in other incorporated areas of the county and, potentially, in adjacent counties. Under current law, Harris County may set up a similar program, but only in the unincorporated areas of the county.

S.B. 1502 would remove the bracket to Harris County in current law and allow for the commissioners court of any county to authorize licensing or permitting to remove disabled or unlawfully stopped vehicles in unincorporated areas. The bill would also allow a commissioners court to do the same in incorporated areas, but only after entering into an interlocal agreement with the incorporated area to do so.

As proposed, S.B. 1502 amends current law relating to county regulation of the removal and storage of unlawfully stopped motor vehicles and authorizes counties to require an occupational license or permit and impose a fee for the license or permit.

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 the heading to Section 545.306, Transportation Code, to read as follows:

Sec. 545.306. REGULATION OF TOWING COMPANIES.

SECTION 2. Amends Section 545.306, Transportation Code, as follows:

(a) Authorizes the commissioners court of a county to by order provide for the licensing of or the granting of a permit to a person to remove or store a vehicle authorized by Section 545.305 (Removal of Unlawfully Stopped Vehicle) to be removed in an unincorporated area of the county. Deletes existing text requiring the commissioners court of a county with a population of 3.3 million or more to by ordinance provide for the licensing of or the granting of a permit to a person to remove or store a vehicle authorized by Section 545.305 to be removed in an unincorporated area of the county.

(b) Authorizes the commissioners court of a county to by order provide for the licensing of or the granting of a permit to a person to remove or store a vehicle authorized by Section 545.305 to be removed in an incorporated area of the county only if the county has entered into an interlocal agreement with the incorporated area to do so.

(c) Changes references to ordinance to order and creates Subsection (c) from existing text.

(d) Changes references to ordinance to order and redesignates existing Subsection (b) as Subsection (d).

SECTION 3. Effective date: September 1, 2015.