

BILL ANALYSIS

Senate Research Center

H.B. 2615
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Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2615 eliminates an unnecessary licensing requirement by amending Chapters 2303 and 2308, Occupations Code. H.B. 2615 authorizes a person holding an incident management towing operator's license, a private property towing operator's license, or a consent towing operator's license to work at a vehicle storage facility without requiring an additional vehicle storage facility license.

H.B. 2615 also repeals a provision of the Vehicle Storage Facility Act (Section 2303.1016, Chapter 2303, Occupations Code, "Vehicle Storage Facility Employee and Towing Operator, Dual License") and a provision of the Texas Towing and Booting Act (Section 2308.1521, Chapter 2308, Occupations Code, "Vehicle Storage Facility Employee and Towing Operator, Dual License") relating to the issuance of a dual license for a person who is a vehicle storage facility employee and a towing operator.

H.B. 2615 amends current law relating to the licensing of towing operators and vehicle storage facility employees by the Texas Department of Licensing and Regulation.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Commission of Licensing and Regulation is rescinded in SECTION 5 (Sections 2303.1016 and 2308.1521, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2303.1015(a), Occupations Code, to prohibit a person from working at a vehicle storage facility unless the person holds a certain license, including an incident management towing operator's license under Section 2308.153 (Incident Management Towing Operator's License), a private property towing operator's license under Section 2308.154 (Private Property Towing Operator's License), or a consent towing operator's license under Section 2308.155 (Consent Towing Operator's License).

SECTION 2. Amends Section 2308.153, Occupations Code, by adding Subsection (c), to authorize a person holding a license described by this section to work at a vehicle storage facility regulated under Chapter 2303 (Vehicle Storage Facilities).

SECTION 3. Amends Section 2308.154, Occupations Code, by adding Subsection (c), to authorize a person holding a license described by this section to work at a vehicle storage facility regulated under Chapter 2303.

SECTION 4. Amends Section 2308.155, Occupations Code, by adding Subsection (c), to authorize a person holding a license described by this section to work at a vehicle storage facility regulated under Chapter 2303.

SECTION 5. Repealers: Sections 2303.1016 (Vehicle Storage Facility Employee and Towing Operator; Dual License) and 2308.1521 (Vehicle Storage Facility Employee and Towing Operator; Dual License), Occupations Code.

SECTION 6. (a) Provides that the changes in law made by this Act do not affect the validity of a proceeding pending before a court or other governmental entity on the effective date of this Act.

(b) Provides that an offense or other violation of law committed before the effective date of this Act is governed by the law in effect when the offense or violation was committed, and the former law is continued in effect for that purpose. Provides that for purposes of this subsection, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

SECTION 7. (a) Provides that Sections 2308.153(c), 2308.154(c), and 2308.155(c), Occupations Code, as added by this Act, apply to a license issued or renewed before, on, or after the effective date of this Act.

(b) Provides that a license issued under Section 2303.1016 or 2308.1521, Occupations Code, that is unexpired or eligible for renewal by the license holder on the effective date of this Act expires on the earlier of the expiration date stated on the license or the date of issuance of a license issued to the license holder under Section 2308.153, 2308.154, or 2308.155, Occupations Code.

SECTION 8. Effective date: September 1, 2017.