

SUBJECT: Disposal of abandoned vehicles

COMMITTEE: Transportation — favorable, without amendment

VOTE: 8 ayes — Alexander, Bosse, Alonzo, Clemons, Moreno, Price, Siebert,  
Uher

0 nays

1 absent — Edwards

SENATE VOTE: On final passage, March 20 — 29-0

WITNESSES: For — Larry Cernosek, Texas Towing and Storage Association

Against — None

DIGEST: SB 560 would extend the deadline for garagekeepers to report an abandoned vehicle to police and amend procedures for disposal of vehicles. The bill would amend VACS art 4477-9a sec. 5.05(b) and (d) to provide that a garagekeeper who fails to report the possession of an abandoned vehicle to the police department within seven days, rather than 48 hours, after the date it becomes abandoned may no longer claim reimbursement for storage of the vehicle.

The bill also would prohibit a police department from taking a vehicle into custody and authorize a storage facility to dispose of a vehicle as provided by Chapter 70 of the Property Code, which relates to miscellaneous liens, if the police department did not take the vehicle into custody before the 31st day after the date the notice is sent.

SB 560 would apply only to a vehicle for which a notice is sent on or after the effective date of the bill, which would take immediate effect if approved by two-thirds of the membership of each house.

SUPPORTERS SAY: Vehicle storage facility operators incur costs and liability associated with storing abandoned automobiles, but have no legal recourse for the disposal of abandoned vehicles. SB 560 would provide a legal means for vehicle

storage facility operators to dispose of the abandoned cars that the owner, lienholder or police department do not claim by the 31st day.

This legislation would not necessarily financially reward garagekeepers as cars in the best condition will more likely be claimed by the owner or lienholder. The vehicle facility owner, more often than not, will only be able to sell the automobile for scrap, thus possibly still not recovering the costs of towing and storage.

Vehicle storage facility owners have the obligation and responsibility to find the rightful owner of every car in their possession. This legislation would in no way decrease their responsibility to send notice or attempt to return the car to the owner.

**OPPONENTS  
SAY:**

Vehicle storage facility owners should have stricter notice guidelines for reporting seemingly abandoned vehicles. Unscrupulous owners might attempt to profit by gaining ownership of the automobile after the 31st day.