

SUBJECT: Making smaller cities eligible to impose civil penalties for parking tickets

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 5 ayes — Carter, Burnam, Ehrhardt, Hodge, Najera
0 nays
1 present, not voting — Clark
3 absent — Bailey, Edwards, Hill

WITNESSES: For —Lori Coody, Office of the City Manager, City of Galveston; Susan Horton, Texas Municipal League
Against —None

BACKGROUND: Under current law, cities operating under a council-manager form of government that have populations greater than 125,000, and all cities with populations greater than 500,000, may impose civil penalties on drivers failing to pay tickets for violations of parking or stop sign ordinances. An eligible city may impound cars, boot cars, impose additional fines, and deny parking permits to persons failing to pay their tickets.

DIGEST: HB 516 would amend Transportation Code, section 682.001 by lowering population limits for cities eligible to impose civil penalties for vehicle parking and stopping offenses to a population greater than 40,000, regardless of the form of city government.

HB 516 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

SUPPORTERS SAY: HB 516 would give smaller towns stronger enforcement tools for traffic offenses, allowing them to boot, tow, or otherwise immobilize vehicles whose owners have not paid parking tickets. These cities would also be authorized to impose additional fines or deny parking permits until fines are paid.

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Unpaid parking tickets can be a major problem for smaller towns that have no such enforcement remedies, especially tourist destinations, such as Galveston and other beach resorts. When the threat of civil penalties exists, there is a greater probability that fines will be paid. The city of Denton, for example, estimates this bill would increase its annual revenue by \$80,000.

Municipalities have the flexibility to use civil penalties at their discretion, but they are under no obligation to use this provision. CSHB 516 simply would expand permission to more cities to use this effective program. Retaining a population bracket of 40,000 would cover those cities large enough to have a persistent parking problem and could more easily handle the expense of paying for boots and vehicle storage facilities.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The original bill would have made all municipalities eligible under Transportation Code, 682.001.

A related bill, HB 2043 by Brimer, which would add airports operated by a joint board to eligibility under Transportation Code sec. 682.001, has been set on tomorrow's House calendar.