

SUBJECT: Eliminating garage keeper reporting of abandoned vehicles to DPS

COMMITTEE: Transportation — favorable, without amendment

VOTE: 7 ayes — Krusee, Phillips, Deshotel, Harless, Hill, Macias, Murphy
0 nays
2 absent — Harper-Brown, Haggerty

WITNESSES: None

BACKGROUND: HB 2630 by Hill, enacted by the 79th Legislature in 2005, added requirements for law enforcement agencies and storage facilities in handling abandoned vehicles. Among its provisions, the bill amended Transportation Code, sec. 683.031(c) to increase from \$5 to \$10 the fee that garage owners or operators must pay when reporting an abandoned vehicle to a law enforcement agency with local jurisdiction. It also specified that garage keepers can report abandoned vehicles to the Department of Public Safety (DPS), which may collect fees for this purpose.

DIGEST: HB 864 would amend Transportation Code, sec. 683.031(c) to repeal the specific authorization for garage keepers to report abandonment of a motor vehicle to DPS and for fees to be paid to DPS for this purpose.

The bill would take effect September 1, 2007.

SUPPORTERS SAY: HB 864 would allow DPS to focus its manpower and resources on law enforcement concerns more pressing than the disposal of abandoned vehicles. Relieving the agency of this responsibility would save the state money because DPS would not have to commit staff resources to the management of this program.

Although DPS currently is allowed to assess a \$10 fee on garage owners or operators for reporting abandoned vehicles, that money first must be spent on sending notices to vehicle owners, which can be costly if the owner cannot easily be located and a newspaper posting is required. DPS

would have to hire additional employees in each of its regional and district offices to fully implement this requirement. This problem can be especially acute in large, sparsely populated DPS districts where troopers may have to travel long distances to handle abandoned vehicle reports.

This change also would allow DPS to better focus its efforts on larger statewide enforcement concerns while appropriately leaving local concerns to local law enforcement agencies.

**OPPONENTS
SAY:**

In sparsely populated areas with few local officers to handle abandoned vehicle reports, this bill could leave local agencies alone to shoulder a burden that currently is shared with DPS. The process for reporting abandoned vehicles was just revised in 2005, and DPS — as the statewide agency with oversight over motor vehicles — should receive the funding and staff it needs to operate the program effectively.

**OTHER
OPPONENTS
SAY:**

This bill may not completely remove DPS from its current role in handling reports of abandoned vehicles. It still would allow garage keepers to report abandoned vehicles “to a law enforcement agency with jurisdiction where the vehicle is located.” DPS, which has jurisdiction statewide, is included in the definition of “law enforcement agency” that appears in Transportation Code, sec. 683.001.