

BILL ANALYSIS

Senate Research Center
77R3479 JD-F

H.B. 1681
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Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

Since the federal deregulation of the commercial trucking industry, communities have experienced problems related to the vehicle towing industry. Recent court decisions have left a local government's authority to regulate towing in question. In addition, the current definition of a consent tow has been construed to include a tow from the scene of a traffic accident, which may lead to problems in controlling an accident scene. H.B. 1681 extends to all political subdivisions of the state the authority to regulate towing, and clarifies the definition of a consent tow and a nonconsent tow to exclude tows from the scene of an accident initiated by a peace officer.

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 Section 643.201, Transportation Code, as follows:

Sec. 643.201. New heading: TOW TRUCK REGULATION BY POLITICAL SUBDIVISIONS. Authorizes a political subdivision of this state (rather than a municipality), in addition to the registration requirements of Subchapter B, to regulate the operation of a tow truck to the extent allowed by federal law. Makes conforming changes. Redefines "consent tow" and "nonconsent tow."

SECTION 2. Effective date: September 1, 2001.