

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Gonzales and Sonnenberg

1 Amend reengrossed bill, page 23, strike lines 3 through 6 and substitute:

2 "(II) STATE: "If A VEHICLE IS NONCONSENSUALLY TOWED FROM
3 PRIVATE PROPERTY, THE OWNER MAY RETRIEVE THE CONTENTS OF THE
4 VEHICLE EVEN IF THE OWNER DOES NOT PAY THE TOWING CARRIER'S FEES.
5 IF THE OWNER FILLS OUT THE APPROPRIATE FORM, THE OWNER MAY
6 RETRIEVE THE VEHICLE AFTER PAYING A REDUCED FEE, BUT THE OWNER
7 STILL OWES THE TOWING CARRIER THE BALANCE OF THOSE FEES.""

8 Page 25, line 27, strike "A VEHICLE OR".

9 Page 26, strike lines 6 and 7 and substitute "INTERESTED PERSON TO
10 RETRIEVE THE VEHICLE'S CONTENTS. THIS SUBSECTION".

11 Page 26, line 8, strike "A VEHICLE OR".

12 Page 26, line 9, strike "THE VEHICLE OR".

13 Page 26, after line 11 insert:

14 "(c) THE TOWING CARRIER SHALL IMMEDIATELY RETRIEVE A
15 VEHICLE THAT HAS BEEN NONCONSENSUALLY TOWED OR ALLOW THE
16 OWNER TO RETRIEVE THE VEHICLE IF:

17 (I) THE OWNER PAYS FIFTEEN PERCENT OF THE FEES, NOT TO
18 EXCEED SIXTY DOLLARS, OWED THE TOWING CARRIER FOR THE
19 NONCONSENSUAL TOW; AND

20 (II) THE AUTHORIZED OR INTERESTED PERSON IS NOT A
21 LIENHOLDER OR INSURANCE COMPANY."

22 Reletter succeeding paragraph accordingly.

23 Page 26, line 13, after "TOWING" insert "CARRIER THE TOTAL AMOUNT
24 OWED TO THE TOWING".

25 Page 26, line 17, after the period insert "KNOWINGLY PROVIDING FALSE
26 INFORMATION ON THE FORM IS UNLAWFUL. SIGNING THIS FORM DOES NOT
27 PROHIBIT A VEHICLE OWNER FROM FILING A COMPLAINT WITH THE
28 COMMISSION OR PURSUING OTHER REMEDIES."

29 Page 27, strike lines 1 and 2 and substitute "WITH SUBSECTION (5)(c) OF
30 THIS SECTION".

- 1 Page 27, line 6, strike "PERSON," and substitute "PERSON BEFORE THE
- 2 VEHICLE IS REMOVED FROM PRIVATE PROPERTY,".

** *** ** *** **