



**Bill Number: H.B. 2462**

**Tibshraeny Floor Amendment**

**Reference to: House engrossed bill**

**Amendment drafted by: Steve Primack – Leg Council**

## **FLOOR AMENDMENT EXPLANATION**

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The floor amendment to HB 2462 requires DPS to only administer the rules adopted to administer the statutes governing private property trespass towers and to set towing rates beginning on July 1, 2011.

The amendment also allows a county or an incorporated city or town to enact an ordinance or rule that:

- **Is more restrictive than this article or any rule adopted pursuant to this article or,**
- **Places any requirements that are greater than those prescribed in this article or any rule adopted pursuant to this article related to the towing, transporting or impounding of a motor vehicle from private property without the permission of the owner or operator of the vehicle by any private property trespass tower or private towing carrier.**

Amendment explanation prepared by Bill Ritz

4/28/2010

TIBSHRAENY FLOOR AMENDMENT  
SENATE AMENDMENTS TO H.B. 2462  
(Reference to House engrossed bill)

1 Page 1, line 15, strike "AND ENFORCE"

2 Line 16, after "2." insert "BEGINNING JULY 1, 2011,"

3 Page 5, line 13, strike "THERE IS" insert "OR NOT THE OWNER DISPUTES"

4 Page 6, between lines 10 and 11, insert:

5 "41-1830.57. Local ordinances or rules

6 THIS ARTICLE DOES NOT PROHIBIT A COUNTY OR AN INCORPORATED CITY OR TOWN  
7 FROM ENACTING AN ORDINANCE OR RULE THAT EITHER:

8 1. IS MORE RESTRICTIVE THAN THIS ARTICLE OR ANY RULE ADOPTED PURSUANT  
9 TO THIS ARTICLE.

10 2. PLACES ANY REQUIREMENTS THAT ARE GREATER THAN THOSE PRESCRIBED IN  
11 THIS ARTICLE OR ANY RULE ADOPTED PURSUANT TO THIS ARTICLE ON TOWING,  
12 TRANSPORTING OR IMPOUNDING A MOTOR VEHICLE FROM PRIVATE PROPERTY WITHOUT THE  
13 PERMISSION OF THE OWNER OR OPERATOR OF THE VEHICLE BY ANY PRIVATE PROPERTY  
14 TRESPASS TOWER OR PRIVATE TOWING CARRIER."

15 Amend title to conform

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04/13/2010  
2:01 PM  
C: sp