
Texas Tow Act HB 2094, 80th Texas Legislature

As proposed by the Texas Towing & Storage Association (TTSA), the 80th Texas Legislature passed HB 2094 by Representative Fred Hill, Representative Jim Jackson & Senator John Carona. Supporters of the Legislation included: TTSA, Greater Dallas Emergency Wrecker Association, Texas Motor Transportation Association, Texas Auto Title & Registration, South West Tow Operations, Goode Towing & Recovery, Safetow, AAA Texas and Arens Services (Texas House Research Organization, SB 1118).

With the passage of HB 2094, Texas now has the most meaningful and innovative towing and storage laws in the United States. Below are the key provisions of the Act:

- Transfers regulation of the towing and vehicle storage industry from the Texas Department of Transportation to the Texas Department of Licensing and Regulation (TDLR), the state's umbrella occupational regulatory agency.
- Creates the Towing and Storage Advisory Board to advise the department on matters relating to the towing and storage of vehicle.
- Requires criminal background checks and drug testing for towing operators and vehicle storage facility employees.
- Provides for three classifications of towing, establishes requirements for each class and requires permit.
 - Incident Management Towing Operations Permit - Establishes equipment and liability insurance requirements for incident management towing permits. Provides that permitted incident management tow trucks may be used for all types of towing.
 - Private Property Towing Operations Permit – Establishes equipment and liability insurance requirements for private property towing permits. Provides that permitted private property tow trucks may be used for private property towing and consent towing but not incident management towing.
 - Consent Towing Operations Permit - Establishes equipment and liability insurance requirements for consent towing permits. Provides that permitted consent tow trucks may be used only for consent towing.
- Provides for three classifications of towing operators and requires license:
 - Incident Management Towing Operator – Establishes requirements for an incident management towing operator license. Provides that licensed incident management towing operator may conduct all types of towing.
 - Private Property Towing Operator - Establishes requirements for a private property towing operator license. Provides that licensed private property towing operator may conduct private property towing and consent towing but not incident management towing.
 - Consent Towing Operator – Establishes for a consent towing operator license. Provides that licensed consent towing operators may only conduct consent towing.
- **Key Dates**
 - September 1, 2007 – HB 2094 Effective Date
 - September 1, 2008 - Towing Operators License Required
Incident Management Towing Operators & Private Property Towing Operators must be certified by Towing & Recovery Association of America or another certification approved by TDLR.
 - September 1, 2008 - Vehicle Storage Facility Employees License Required
 - After August 31, 2009 – Completion of Professional Development Course Required
At first license renewal, Incident Management Towing Operators must have completed professional development course relating to towing that is licensed or certified by the National Safety Council or another course approved by TDLR.

