



AUSTIN POLICE DEPARTMENT

TRAINING Announcement

December 2015

Release of Vehicles from Storage Facilities

The Wrecker Enforcement Unit has received complaints that some Vehicle Storage Facilities are requiring the towed vehicle claimant to sign various paperwork before the release of a vehicle. In some situations, when the officer responds they inform the claimant that the matter is civil. There are two laws that pertain to this issue:

Austin City Ordinance: § 13-6-79 RELEASE OF VEHICLE FROM STORAGE, IMPOUNDMENT.

- (A) A vehicle storage facility may not refuse to release a vehicle in its possession to the vehicle owner, or the owner's agent, after the person pays the applicable fees, unless a law enforcement agency directed that the vehicle not be released or release of the vehicle is prohibited by a court order.
- (B) A person may not remove or attempt to remove a vehicle that is lawfully stored by a vehicle storage facility unless the applicable charges are paid and accepted, or the person removing the vehicle has obtained permission from the vehicle storage facility.
- (C) A towing company must release a vehicle when a peace officer directs the towing company to release the vehicle.

Texas Occupations Code: Sec. 2303.160. RELEASE OF VEHICLES.

- (a) A vehicle storage facility may not refuse to release a vehicle to the owner or operator of the vehicle or require a sworn affidavit of the owner or operator of the vehicle solely because the owner or operator presents valid photo identification issued by this state, another state, or a federal agency that includes a different address than the address contained in the title and registration records of the vehicle.
- (b) A vehicle storage facility must accept evidence of financial responsibility, as required by Section 601.051, Transportation Code, as an additional form of identification that establishes ownership or right of possession or control of the vehicle.
- (c) Subsection (b) does not require a vehicle storage facility to release a vehicle to the owner or operator of the vehicle if the owner or operator of the vehicle does not:
- (1) pay the charges for services regulated under this chapter or Chapter 2308, including charges for an incident management tow, as defined by Section 2308.002; and
 - (2) present valid photo identification issued by this state, another state, a federal agency, or a foreign government.

For More Information Contact Detective Tim Atkinson 2554 by email