

PROPOSED CHANGES TO CHAPTER 1 AND CHAPTER 8

Houston Police Department

Auto Dealers Detail

March 2014

8-16 Definitions

- Proposed change would remove convenience stores from the requirement to obtain a Retail Supply Dealer license
- Convenience store is defined in Sec. 28-401 (less than 10,000 square feet of retail floor space)

8-101 Definitions

- Establish a definition for *wrecker driver trainee*
- Current ordinance does not allow for unlicensed passenger on police scenes
- Request from auto wrecker industry to aid in training of new hires.

8-111 Auto Wrecker Requirements

- No substantive changes
- Clarified ordinance is related to nonconsent towing
- Cleaned up terms of *tow operator* and *auto wrecker* for consistency
- Medallion (proof of registration) must be displayed on the truck
- Moved most of the equipment requirements to 8-126 (PATSA)

8-117 Nonconsent tow regulations

- No substantive changes
- Replaced *tow truck* with *auto wrecker*

8-126 PATSA

- Moved equipment requirements from 8-111 to 8-126. Equipment requirements pertain to auto wreckers responding to police scenes, not private property scenes
- Added provision for wrecker driver trainee to provide assistance to wrecker driver.
- Trainee may not drive a wrecker on a public roadway

8-131 Wrecker driver and trainee – license required, qualifications

- Provides requirements for wrecker driver trainee license
 - At least 18 years old
 - Valid driver's license and tow operator's license (State)
 - Meet 1-10 criminal history standards
 - No outstanding warrants

8-132 Application

- Provides application procedure for wrecker driver trainee
- Trainee licenses are valid for 60 days
- Removes drug screen requirement for PATSA renewals
 - ▣ Initial drug screening still required
 - ▣ Subject to Mayor's Policy on Drug Detection and Deterrence (E.O. 1-31) – random screening
 - ▣ Subject to annual and random State testing (TDLR)

8-133 Application Fee

Requirements	Performed by	Training License	PATSA Wrecker
Application Review	CSC and Officer	✓	✓
TDLR License verification	Officer	✓	✓
Criminal History Review	Officer	✓	✓
Create ID Badge	CSC	✓	✓
TX Driver's license Review	Officer	✓	✓
Create Folder	CSC	✓	✓
Drug Test verification	CSC and Officer		✓
Defensive Driving verification	CSC and Officer		✓

Cost Breakdown	
Current PATSA Wrecker License Fee	\$75.00
Current PATSA Wrecker license Renewal	\$75.00
Proposed Training License Fee	\$30.00
Proposed PATSA Wrecker lic fee (w/previous training license)	\$45.00

8-134 Issuance; denial; hearing

- Added language to include wrecker driver trainee
- Added language to include Texas Occupations Code section 53.021

8-135 Standards for review

- Added language to include wrecker driver trainee
- No substantive changes

8-137 Revocation, suspension and refusal to renew

- Added language to include wrecker driver trainee
- No substantive changes

1-9 Procedures for denial, suspension, or revocation of licenses

- Clarified language to include *deferred adjudication* as part of the criminal history review process

1-10 Same-Specific permits and licenses

- Updated language to mirror section 53.021 of the Occupations Code
- For Salesman licenses, added sexual offenses to the criminal history standards
 - ▣ Contact with public (similar to auto wreckers)
 - ▣ At least four (4) cases involving juveniles since 2011

Questions?

- Contact the Auto Dealers Detail at 832-394-4800 or hpd.autodealers@houstonpolice.org