

## ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINEHURST TO RESCIND ORDINANCE 2025-04 IN ITS ENTIRETY AND ESTABLISH A NEW ORDINANCE TO AUTHORIZE THE PINEHURST POLICE DEPARTMENT TO ADOPT A POLICY FOR TOWING VEHICLES WHEN THE OPERATOR FAILS TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY, NO DRIVER'S LICENSE, DRIVING WHILE LICENSE INVALID, AND MINOR DRIVING WITHOUT A LICENSE OR AS A RESULT OF A LAWFUL ARREST; ESTABLISHING A FEE FOR A VERIFICATION LETTER TO RELEASE VEHICLE FROM THE STORAGE LOCATION WITH THE PROOF OF VALID FINANCIAL RESPONSIBILITY; ESTABLISHING A FEE FOR A VALID DRIVER TO TAKE POSSESSION OF VEHICLE OR RELEASE FROM CORRECTIONS FACILITY; AND PROVIDING AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINEHURST, TEXAS that:

### SECTION 1. Impounding of Vehicles.

- (a) It is an offense under the Texas Transportation Code for a person to operate a motor vehicle without proof of financial responsibility.
- (b) It is an offense under the Texas Transportation Code for a person to operate a motor vehicle without a valid Driver's License.
- (c) Acting under a policy established by the Police Chief, a police officer is authorized to order the towing and impounding of a vehicle that is not insured or otherwise covered for financial responsibility or other offenses in accordance with state law.

### SECTION 2. Establishment of Fee.

The Police Chief, by policy, may assess a fee for the administrative duties of providing a verification letter of financial responsibility to the owner prior to such vehicle being released from impoundment.

### SECTION 3. Penalty of Violation.

Any person who violates this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be fined an amount allowed by state law for violation(s) of city ordinances or as the case may be, with each of such violations constituting a separate offense.

**SECTION 4. Effective Date.**

This Ordinance shall take effect and be enforceable from and after its passage and approval by the City Council.

**PASSED AND APPROVED** this the 10<sup>th</sup> day of March 2026.

  
Sarah McClendon, Mayor

ATTEST:

  
Michele Andreu, City Secretary

APPROVED:

  
Tommy Gunn, City Attorney

S.B. 857 Subject: Authorizing Towing When Operator Violates Certain Transportation Code Laws Effective: September 1, 2025 Section 545.305 of the Transportation Code lists situations when a peace officer or license and weight inspector may remove (i.e., tow) or require the vehicle operator/owner to remove a vehicle from a highway. S.B. 857 adds to this list permitting removal when the operator is in violation of certain provisions of the Transportation Code. Specifically, if the operator is in violation of Section 521.021 (no driver's license), Section 521.457 (driving while license invalid), Section 601.191 (fail to maintain financial responsibility), or Section 729.002 (minor driving without a license), towing will be authorized beginning September 1, 2025