



Junked, Abandoned and
Salvage Vehicles
Enforcement Options



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Disclaimer:

This presentation does not address metal recyclers. There are separate laws and exceptions that apply to recyclers that deal

America's

Love Affair



With The

Automobile


by
JoAnn Fahlander

In 1769 the first steam-powered automobile capable of human transportation was built by Nicolas-Joseph Cugnot



The year 1886 is regarded as the birth year of the modern car when German inventor **Karl Benz** patented his **Benz Patent-Motorwagen**.

CARHARTT
THIRTY-FIVE



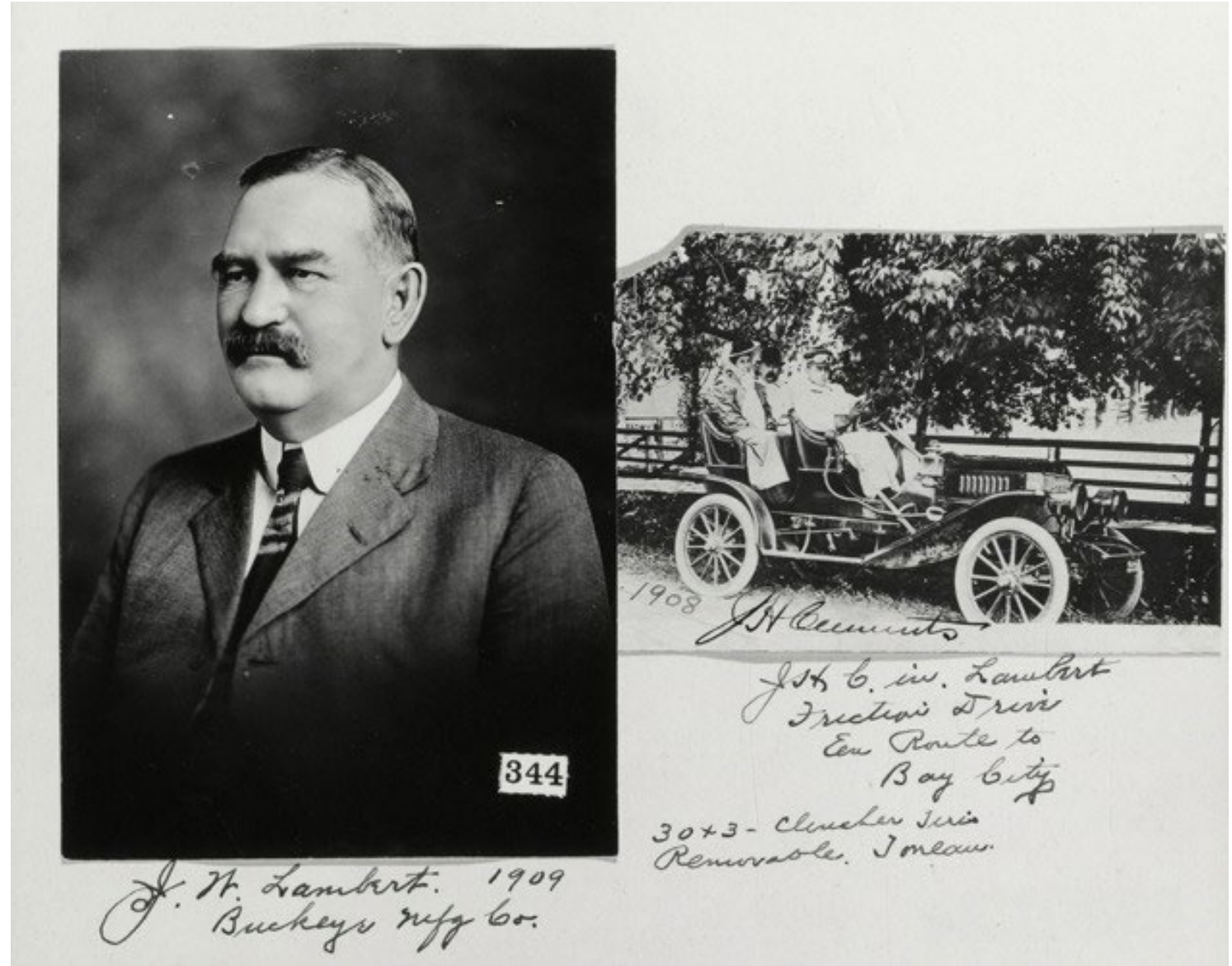
The Peer of Them All

Absolutely Standard in
Construction
The Most Beautiful in
Outline

CARHARTT AUTOMOBILE SALES COMPANY
GENERAL OFFICES AND SALESROOM, HOTEL PLAZA
NEW YORK

The first carriage-sized automobile suitable for use on existing wagon roads in the United States was a steam-powered vehicle invented in 1871 by Dr. J.W. Carhart, a minister of the Methodist Episcopal Church, in Racine, Wisconsin

Ohio City, Ohio claims the first accident involving a gasoline-powered auto, a little closer to what most of us think of as a car today. In 1891, engineer James Lambert was driving one of his inventions, an early gasoline-powered buggy, when he ran into a little trouble. The buggy, also carrying passenger James Swoveland, hit a tree root sticking out of the ground. Lambert lost control and the vehicle swerved and crashed into a hitching post. Both men suffered minor injuries.

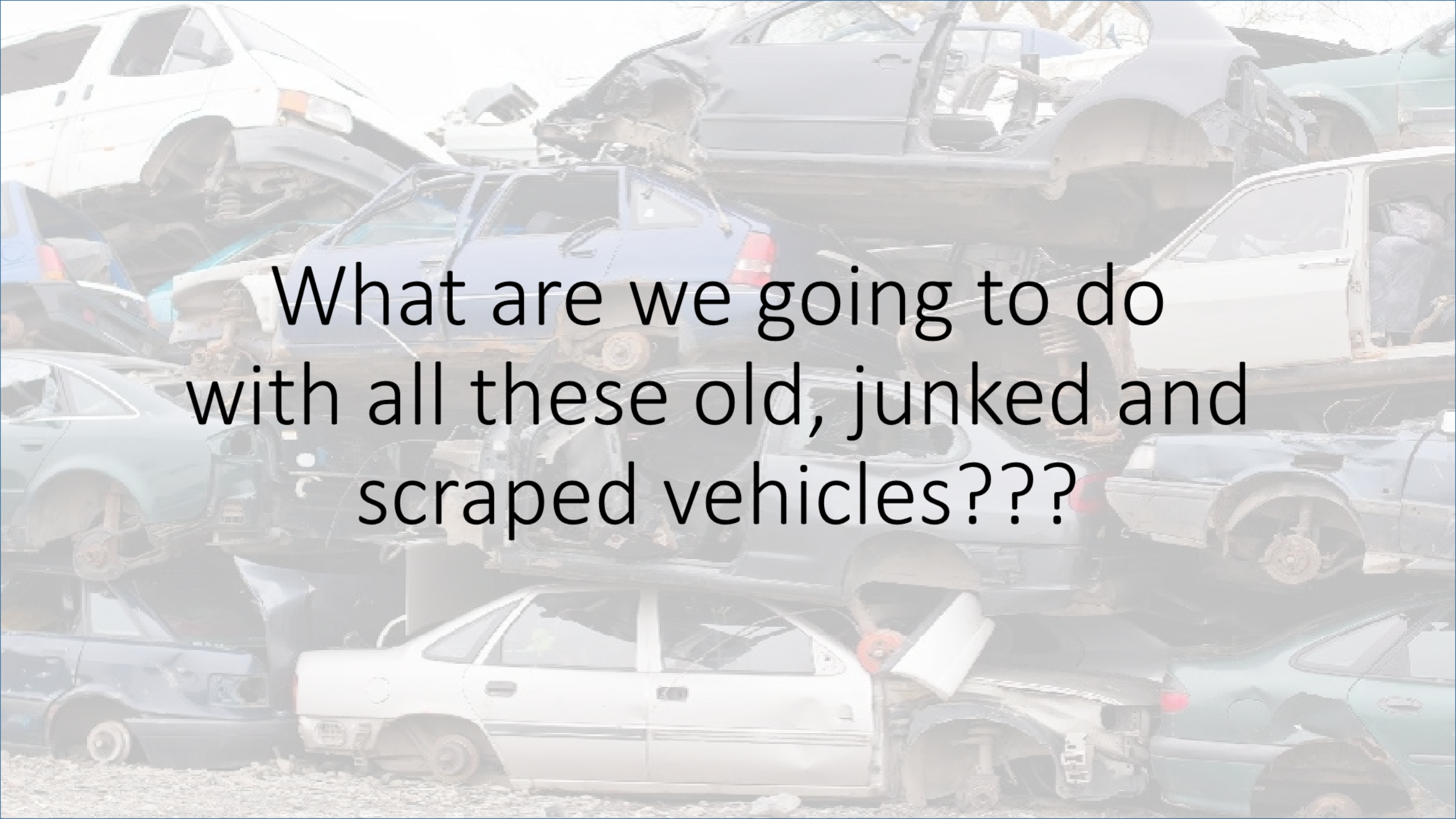




Problem



Opportunity

A large pile of old, damaged, and scrapped vehicles in a junkyard. The cars are stacked and crushed, with various colors like white, blue, and silver visible. The scene is filled with rusted metal and broken parts, illustrating the problem of vehicle disposal.

What are we going to do
with all these old, junked and
scrapped vehicles???



Art

Housing





Redneck Storm Shelter



Storage



Used Parts
for Sale

Scrap Metal Recycling



A large pile of crushed and dismantled cars in a scrapyard. The cars are in various stages of destruction, with some showing significant damage to the body and chassis. The scene is filled with metal wreckage and debris.

So far, so good.

But what about the old cars
that are not used this way?



Let's just put it over there for now.
No one will notice.



ENFORCEMENT



Where Do You Start?

- Define Problem

- Establish Goals

- Develop Plan

Define the Problem



- Abandoned vehicles
- Junked vehicles
- Salvage vehicles and Salvage yards
- Auto Repair Industry
- Combination of the above



Establish Goals

- Reduction of Focus Vehicles
- Reduction of Citizen Complaints
- Relocation of Problem Sources
- Remediation and Removal of Focus Vehicles

A large pile of crushed and dismantled cars in a scrapyard. The cars are in various stages of destruction, with some showing significant damage to the body and chassis. The background is a hazy, overcast sky.

Develop a plan

- Education
- Permitting
- Enforcement

An open book is shown from a high-angle perspective, lying flat. The pages are white and feature faint, illegible text from the reverse side. The word "Definitions" is written across the center of the pages in a large, bold, black cursive font. The book is set against a dark, blurred background, possibly a desk or a library shelf.

Definitions

TC Sec. 683.002. ABANDONED MOTOR VEHICLE

- (a) For the purposes of this chapter, a motor vehicle is abandoned if the motor vehicle:
 - (1) is inoperable, is more than five years old, and has been left unattended on public property for more than 48 hours;
 - (2) has remained illegally on public property for more than 48 hours;
 - (3) has remained on private property without the consent of the owner or person in charge of the property for more than 48 hours;
 - (4) has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours;
 - (5) has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority division of the Texas Department of Transportation or a controlled access highway; or
 - (6) is considered an abandoned motor vehicle under Section [644.153\(r\)](#).
- (b) In this section, "controlled access highway" has the meaning assigned by Section [541.302](#).

Sec. 683.071. 'JUNKED VEHICLE'

(a) In this subchapter, "junked vehicle" means a vehicle that:

(1) is self-propelled; and

(2) is:

(A) wrecked, dismantled or partially dismantled, or discarded; or

(B) inoperable and has remained inoperable for more than:

(i) 72 consecutive hours, if the vehicle is on public property; or

(ii) 30 consecutive days, if the vehicle is on private property.

(b) For purposes of this subchapter, "junked vehicle" includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:

(1) a motor vehicle that displays an expired license plate or does not display a license plate;

(2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or

(3) a watercraft that:

(A) does not have lawfully on board an unexpired certificate of number; and

(B) is not a watercraft described by Section [31.055](#), Parks and Wildlife Code.



What is in your Tool Box?





**TRANSPORTATION CODE SECTION 545
SUBCHAPTER G. STOPPING, STANDING, AND PARKING**

**Sec. 545.301 STOPPING, STANDING, OR PARKING OUTSIDE A
BUSINESS OR RESIDENCE DISTRICT**

**Sec. 545.302 STOPPING, STANDING, OR PARKING PROHIBITED IN
CERTAIN PLACES**

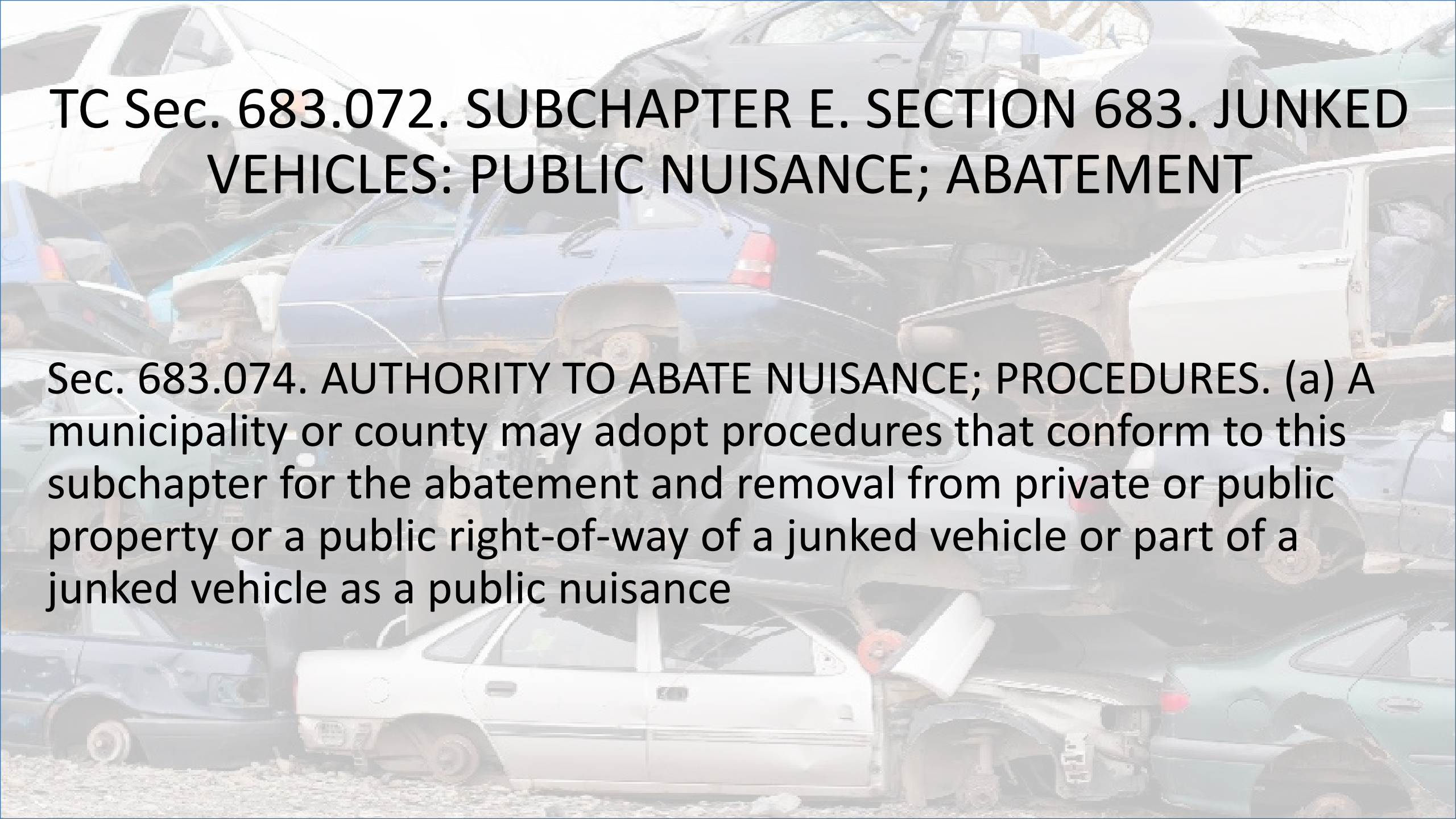
Sec. 545.305 REMOVAL OF UNLAWFULLY STOPPED VEHICLE



TC Sec. 683.072. JUNKED VEHICLE DECLARED TO BE PUBLIC NUISANCE

A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) is detrimental to the safety and welfare of the public;
- (2) tends to reduce the value of private property;
- (3) invites vandalism;
- (4) creates a fire hazard;
- (5) is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) is a public nuisance.



TC Sec. 683.072. SUBCHAPTER E. SECTION 683. JUNKED VEHICLES: PUBLIC NUISANCE; ABATEMENT

Sec. 683.074. AUTHORITY TO ABATE NUISANCE; PROCEDURES. (a) A municipality or county may adopt procedures that conform to this subchapter for the abatement and removal from private or public property or a public right-of-way of a junked vehicle or part of a junked vehicle as a public nuisance

HSC Sec. 341.011. NUISANCE.

Sec. 341.011. NUISANCE. Each of the following is a public health nuisance:

- (1) a condition or place that is a breeding place for flies and that is in a populous area;
- (3) a restaurant, food market, bakery, other place of business, or vehicle in which food is prepared, packed, stored, transported, sold, or served to the public and that is not constantly maintained in a sanitary condition;
- (5) sewage, human excreta, wastewater, garbage, or other organic wastes deposited, stored, discharged, or exposed in such a way as to be a potential instrument or medium in disease transmission to a person or between persons;
- (7) a collection of water in which mosquitoes are breeding in the limits of a municipality or a collection of water that is a breeding area for mosquitoes that can transmit diseases regardless of the collection's location other than a location or property where activities meeting the definition of Section 11.002(12)(A), Water Code, occur;
- (9) a place or condition harboring rats in a populous area;
- (11) the maintenance of an open surface privy or an overflowing septic tank so that the contents may be accessible to flies; and
- (12) an object, place, or condition that is a possible and probable medium of disease transmission to or between humans.

HSC Sec. 343.011. PUBLIC NUISANCE

- (1) keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;
- (2) keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;
- (3) maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;
- (10) discarding refuse on the smaller of:
 - (A) the area that spans 20 feet on each side of a utility line; or
 - (B) the actual span of the utility easement;
- (12) discarding refuse on property that is not authorized for that activity; or



Used Oil and Illegal
Discharge Violations



TEXAS WATER CODE

**WC Sec 7.175 VIOLATIONS RELATED TO
HANDLING OF USED OIL**

**WC Sec. 26.121. UNAUTHORIZED
DISCHARGES PROHIBITED**

Obstacles to Enforcement

- Lack of previous enforcement
- Sentimental attachment
- Restoration
- Saved for future use
- Ownership
- Alternative definition / Repurposed
- Savings account with scrap metal / classic car

MONEY IN THE BANK









