



STATE OF TEXAS
 DEPARTMENT OF LICENSING & REGULATION
VEHICLE STORAGE FACILITY INSPECTION CHECKLIST
 TDLR VSF INSP 001 (REV 09-28-17)

COMPANY NAME	TDLR CERTIFICATE NO.		EXP. DATE
ADDRESS	CITY	STATE	ZIP
PHONE	OWNER/AGENT		
INSPECTOR NAME	INSPECTION DATE		

VIOLATIONS FOUND? Y / N

	PRE-INSPECTION	RULE	COMMENTS
	Is the company certificate (license) valid? If applicable, date license expired:	2303.101 85.200	
	Is the company insurance active in TOOLS?	85.400(d)(2)	
	Does the company have an approved drug policy?	2303.161(a) 85.725	Type: 1 2 3
	Check VSF Storage Capacity (affects insurance req. – confirm no. of vehicles stored at inspection)	85.400(d)(1)	<input type="checkbox"/> 50 or less <input type="checkbox"/> 51-99 <input type="checkbox"/> 100+

	SIGN AT MAIN ENTRANCE	RULE	COMMENTS
	<input type="checkbox"/> Name as it appears in TOOLS <input type="checkbox"/> Street address <input type="checkbox"/> Telephone No. for release of vehicles <input type="checkbox"/> Hours posted for release of vehicles w/one hour notice <input type="checkbox"/> License number preceded by "VSF LICENSE NUMBER" <input type="checkbox"/> 2" letters min., contrasting, visible at 10'	85.1003(a)	

	SIGNS AT PLACE OF PAYMENT	RULE	COMMENTS
	SIGN FOR INSTRUMENTS OF RELEASE (Not in any particular order – no size requirements) <ul style="list-style-type: none"> <input type="checkbox"/> A notarized power of attorney <input type="checkbox"/> A court order <input type="checkbox"/> A certificate of title <input type="checkbox"/> A tax collector's receipt & vehicle registration renewal card & conforming identification <input type="checkbox"/> Name and address information corresponding to that contained in the files of the Texas DMV <input type="checkbox"/> A current automobile lease or rental agreement executed by the operator of the vehicle or a person holding a power of attorney executed by the person named in the lease agreement <input type="checkbox"/> Appropriate identification of any state or federal law enforcement agency representative <input type="checkbox"/> The most recent version of a department approved form or electronic version of a department approved form published on the department's website, www.tdlr.texas.gov <input type="checkbox"/> Evidence of financial responsibility (insurance card) as required by transportation code §601.051, as an additional form of identification that establishes ownership or right of possession or control of the vehicle <input type="checkbox"/> "AFFIDAVIT OF RIGHT OF POSSESSION FURNISHED UPON REQUEST" 	85.1003(d) 85.710(a)(3)	
	SIGN FOR STORAGE CHARGES AND FEES <ul style="list-style-type: none"> <input type="checkbox"/> Storage Charges <input type="checkbox"/> Notification Fee <input type="checkbox"/> Impoundment Fee <input type="checkbox"/> List all forms of payment accepted <input type="checkbox"/> Must be visible <input type="checkbox"/> If located on Payment Window it must be in a min. 24 PT Helvetica or Arial Bold for Headers and 14 PT Helvetica or Arial Condensed for Text 	85.1003(b)	

<input type="checkbox"/>	SIGN FOR "NON-CONSENT TOW FEE SCHEDULES AVAILABLE UPON REQUEST"	2303.1551	
<input type="checkbox"/>	Clearly Visible- <i>No Height Requirement</i>	85.1003(c)	
<input type="checkbox"/>	SIGN FOR TYPES OF PAYMENT	2303.159/	
<input type="checkbox"/>	"THIS VEHICLE STORAGE FACILITY MUST ACCEPT PAYMENT BY CASH, DEBIT CARDS AND CREDIT CARDS FOR ANY FEE OR CHARGE ASSOCIATED WITH DELIVERY OR STORAGE OF A VEHICLE."	85.1003(e)	
<input type="checkbox"/>	COMPLAINT SIGN – DEPARTMENT CONTACT INFO	P.O. Box 12157 Austin, Texas 78711	85.707(a) –
<input type="checkbox"/>	Min. 1" letters	(800) 803-9202	(b)(1)
<input type="checkbox"/>	Phone Number, Address, Website & Email	www.tdlr.texas.gov enforcement@tdlr.texas.gov	

EXTERIOR INSPECTION - FACILITY		RULE	COMMENTS
<input type="checkbox"/>	FENCING	85.1000(1)	
<input type="checkbox"/>	6 Feet high (5' prior to 9/1/85)		
<input type="checkbox"/>	Gate locked at all times unless a VSF employee is present		
<input type="checkbox"/>	Chain Link, Metal, Wood or Masonry (No Animal or Livestock Fencing)		
<input type="checkbox"/>	Only one VSF may operate within a single fenced area		
<input type="checkbox"/>	STORAGE LOT SURFACE	85.1001	
<input type="checkbox"/>	All weather surface that permits vehicle mobility		
<input type="checkbox"/>	No overgrown vegetation		
<input type="checkbox"/>	LIGHTING	85.1002	
<input type="checkbox"/>	Lighting operational		
<input type="checkbox"/>	Sufficient to allow for nighttime release/inspection of vehicles (1 – 250-watt element per ¼ acre)		

EXTERIOR INSPECTION - VEHICLES		RULE	COMMENTS
<input type="checkbox"/>	PARTS REMOVAL, REPAIR OR DEMOLITION OF VEHICLE AT LICENSED VSF		
<input type="checkbox"/>	Must have Certificate of Title, Certificate of Authority to Demolish, Title Transfer Document, Storage Lien or Police Auction Sales Receipt	85.717	
	OR		
<input type="checkbox"/>	Consent of owner or their authorized representative	85.720	
<input type="checkbox"/>	CONSENT STORED VEHICLES	85.700	
<input type="checkbox"/>	VSF must maintain proof that a vehicle is being stored with owner's consent		
<input type="checkbox"/>	VEHICLES STORED BEHIND FENCE OR WITHIN SECURE BUILDING	85.1000(2)(A)	

VEHICLES NOT LOCKED, WINDOWS, DOORS, TRUNKS, HOODS & TOPS NOT CLOSED (IF IT CAN BE LOCKED IT MUST BE LOCKED)	85.1000(2)(b)8 5.719(a)	VEHICLES WITH BROKEN WINDOWS, DOORS UNABLE TO BE CLOSED NOT TARPED AS REQUIRED	85.719(b)
Document the vehicles with the above violations (with make, model, license number or vin)		Document the vehicles with the above violations (with make, model, license number or vin)	

VEHICLE RECORDS	RULE	COMMENTS
MADE RECORDS AVAILABLE FOR INSPECTION/COPYING They do not have to provide or make copies, just have them available to copy	85.706(e)	
RECORDS MAINTAINED AT PRINCIPAL OFFICE (PHYSICAL LOCATION) UNLESS DOCUMENTED PERMISSION TO STORE RECORDS ELSEWHERE.	85.1004(a)	
REQUIRED RECORDS BEING MAINTAINED <input type="checkbox"/> (1) motor vehicle registration checks <input type="checkbox"/> (2) notification letters <input type="checkbox"/> (3) certified return receipts <input type="checkbox"/> (4) tow tickets (if applicable) <input type="checkbox"/> (5) bills for service <input type="checkbox"/> (6) auction sales receipts <input type="checkbox"/> (7) inventory (if applicable) <input type="checkbox"/> (8) certificates of authority to demolish <input type="checkbox"/> (9) any authorized document used to release a vehicle, including but not limited to a title, affidavit of right of possession and control, or court order.	85.706(a)	
REQUIRED COPIES OF NOTIFICATIONS FOR VEHICLES THAT HAVE BEEN DISPOSED OF	85.723(b)(2)	
RECORDS KEPT FOR 2 YEARS AFTER RELEASE OR DISPOSAL OF VEHICLE	85.706(f) 85.1004(b)	

DOCUMENTS YOU WILL NEED TO ASK FOR AND REVIEW	
<p style="text-align: center;"><u>Vehicle in lot with violations</u></p> <input type="checkbox"/> Tow ticket <input type="checkbox"/> If a pp tow – report to law enforcement w/in 2 hours <input type="checkbox"/> Copy of cab card & tow operator lic. of tower <input type="checkbox"/> Motor vehicle record (MVR) <input type="checkbox"/> 1 st & 2 nd notification letters & return receipts (if applicable) <input type="checkbox"/> 1 st & 2 nd published notifications (if applicable) <input type="checkbox"/> 10-day notice of abandonment (if applicable) <input type="checkbox"/> Inventory form (if applicable)	<p style="text-align: center;"><u>3 recently stored vehicles (w/in last 10 days)</u></p> <input type="checkbox"/> Tow ticket <input type="checkbox"/> If a pp tow – report to law enforcement w/in 2 hours <input type="checkbox"/> Copy of cab card & tow operator lic. of tower <input type="checkbox"/> Motor vehicle record (MVR) <input type="checkbox"/> 1 st & 2 nd notification letters & return receipts (if applicable) <input type="checkbox"/> 1 st & 2 nd published notifications (if applicable) <input type="checkbox"/> 10-day notice of abandonment (if applicable) <input type="checkbox"/> Inventory form (if applicable)
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MINIMUM INFORMATION REQUIRED FOR VEHICLES	RULE	COMMENTS
<p>Does not have to be in any particular format or location</p> <ul style="list-style-type: none"> <input type="checkbox"/> Year, Make, Model, Color, Lic. Plate, State of Issue & VIN <input type="checkbox"/> Date, Time, & Location of Tow <input type="checkbox"/> Name of Person/Company who authorized the Tow <input type="checkbox"/> Tow Operator Lic. No., Tow Company Name, Tow Truck Lic. Plate No. <input type="checkbox"/> If Released the date the vehicle was released, including the name of the person who the vehicle was released to, type of ID used and the ID number. <input type="checkbox"/> If Released, all amounts received at the time the vehicle was released, including the specific nature of each charge <input type="checkbox"/> Any title transfer document, certificate of title issued to the VSF, Certificate of Authority to Dispose, any Law Enforcement Auction Sales Receipt. <input type="checkbox"/> If Transferred, the date of vehicle transfer, the address of the location where the vehicle was transferred, the name of the Tow Company, the Tow Operator and Tow Operator lic. No. 	85.706(b)	

DOCUMENT REVIEW – 2 HOUR REPORT TO LAW ENFORCEMENT	RULE	COMMENTS
<p>2 HOUR REPORT TO LAW ENFORCEMENT - <i>Applies to Private Property Tows Only</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Done within 2 hours of receiving vehicle for storage <input type="checkbox"/> Includes a general description of the vehicle <input type="checkbox"/> The state of issue and license plate number <input type="checkbox"/> The vehicle identification number (VIN) if it can be ascertained <input type="checkbox"/> The location the vehicle was towed from <input type="checkbox"/> The name and location of the VSF where the vehicle is being stored <input type="checkbox"/> Must be made by telephone, electronically, in person, facsimile or in any manner prescribed by the law enforcement agency <input type="checkbox"/> Records indicate to whom the report was delivered to, in what manner it was delivered, the date and time of the report <u>or</u> the unique control or tracking number assigned by the law enforcement agency 	<p>2303.1511 85.705(a)(1) 85.705(a)(2) 85.705(a)(3) 85.705(a)(4) 85.705(a)(5) 85.705(b)(1-5) 85.705(c)</p>	

DOCUMENT REVIEW – TOW TICKET	RULE	COMMENTS
<p>TOW TICKET – TECHNICAL REQUIREMENTS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Includes the licensed name of the Tow Company <input type="checkbox"/> Includes the Certificate Number of the Tow Company <input type="checkbox"/> Includes the publicly listed phone number of the Tow Company <input type="checkbox"/> Includes the TDLR Operator License Number 	85.706(c)	

DOCUMENT REVIEW – COMBINED TOW TICKET/VSF INVOICE	RULE	COMMENTS
<p>COMBINED TOW TICKET/VSF INVOICE – TECHNICAL REQUIREMENTS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Tow Charges and Storage Charges must be clearly separated with headings identifying the charges as “Tow Charges” or “Storage Charges” <input type="checkbox"/> Tow charges must be identical to those on original tow ticket (if a separate standalone ticket is issued) <input type="checkbox"/> The combined invoice must meet and contain all required elements of a tow ticket and a VSF invoice provided that the license number of the tow operator may be omitted (if a standalone tow ticket is also issued) 	85.710(a)(2)	
<p>COMBINED TOW TICKET/VSF INVOICE – COMPLAINT PROCEDURES</p> <ul style="list-style-type: none"> <input type="checkbox"/> Located on the first page of any bill of service <input type="checkbox"/> Department’s website & email address <input type="checkbox"/> Department’s mailing address & phone number 	85.707(b)(2)	<p>P.O. Box 12157 Austin, Texas 78711 (800) 803-9202 www.tdlr.texas.gov enforcement@tdlr.texas.gov</p>

FEES			
STORAGE FEE		85.722(d)	
<input type="checkbox"/>	Daily Storage Fees – not less than \$5 or more than \$20 for vehicle 25’ or less. \$35 for vehicles more than 25’ in length	2303.155(b)(3)	
<input type="checkbox"/>	Cannot charge for more than one day if the vehicle is on the lot less than 12 hours	85.722(d)(1)	
<input type="checkbox"/>	For vehicles registered in Texas – cannot charge for more than 5 days unless the notice required under 85.703 is sent.	85.722(d)(2)	
<input type="checkbox"/>	For vehicles registered out of state – cannot charge for more than 5 days unless a proper request is made for owner information to the appropriate out of state governmental entity.	85.722(d)(3)	
IMPOUNDMENT FEE		85.722(e)	
<input type="checkbox"/>	Cannot exceed \$20	85.722(e)	
<input type="checkbox"/>	The bill of service must note the date and exact services that were performed	85.722(e)	
<input type="checkbox"/>	To charge an impoundment fee the VSF must:		
<input type="checkbox"/>	Tarp a vehicle if it needs to be tarped and (at least one of the following)		
<input type="checkbox"/>	Obtain Motor Vehicle Record (MVR)	85.719(c)	
<input type="checkbox"/>	Conduct an inventory and secure unsecured property		
NOTIFICATION FEE		85.722(c)	
<input type="checkbox"/>	Only can be charged once & covers all required notifications		
<input type="checkbox"/>	Cannot Exceed \$50,		
<input type="checkbox"/>	If a published notice is required and the cost of publication exceeds 50% of the notification fee then the amount above the 50% can be recovered and must be charged separately		
<input type="checkbox"/>	Cannot be charged until the vehicle has been on the lot at least 24 hours <i>and</i> the notification letter is sent		
GOVERNMENTAL & LAW ENFORCEMENT FEE		85.722(f)	
<input type="checkbox"/>	Cannot exceed the actual fee paid to the law enforcement agency, authorized agent or governmental entity		
ENVIRONMENTAL HAZARD FEE		85.722(g)	
<input type="checkbox"/>	CANNOT BE CHARGED AT THIS TIME (It is a violation if this is listed as a fee)		
OTHER FEES		85.722(h)	
<input type="checkbox"/>	Cannot charge any other non-authorized fees.		

DOCUMENT REVIEW– FIRST NOTIFICATION LETTER	RULE	COMMENTS
FIRST NOTIFICATION LETTER – MAILING REQUIREMENTS		
<input type="checkbox"/>	Vehicles registered in Texas – No sooner than 24 hours and no later than 5 days	2303.151(a)
<input type="checkbox"/>	Vehicles registered out of state – No later than 14 days	2303.151(b)
<input type="checkbox"/>	Must be correctly addressed to registered owner and primary lienholder – Compare name and address information to MVR	2303.151(d)
<input type="checkbox"/>	Must be sent certified mail or electronic certified mail with return receipt	
<input type="checkbox"/>	Must be sent with sufficient postage	
FIRST NOTIFICATION LETTER – TECHNICAL REQUIREMENTS		
<input type="checkbox"/>	Includes the name of the VSF, street address and phone number	2303.153(a)
<input type="checkbox"/>	The VSF license number preceded by the words: “TEXAS DEPARTMENT OF LICENSING AND REGULATION VEHICLE STORAGE FACILITY LICENSE NUMBER” OR “TDLR VSF LIC. NO.” (Does not have to be <i>exact</i>)	85.703(h)(1)
<input type="checkbox"/>	Hours the vehicle can be released with one-hour notice	
<input type="checkbox"/>	Daily storage rate & types & amounts of all fees assessed	

<ul style="list-style-type: none"> <input type="checkbox"/> Statement: "TOTAL STORAGE CHARGES CANNOT BE COMPUTED UNTIL VEHICLE IS CLAIMED. THE STORAGE CHARGE WILL ACCRUE DAILY UNTIL VEHICLE IS RELEASED" <input type="checkbox"/> The first date that a storage fee is assessed <input type="checkbox"/> The date vehicle was accepted for storage and where, when & by whom the vehicle was towed <input type="checkbox"/> The date the vehicle will be transferred including the address of the lot it will be transferred to if it remains unclaimed. (if applicable) <input type="checkbox"/> A notice of the owner's rights under Occupations Code, Chapter 2308 to challenge the legality of the tow. <input type="checkbox"/> The name, mailing address and toll-free phone number of the Department for purposes of directing questions or complaints. 		
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DOCUMENT REVIEW – 10 DAY NOTICE OF ABANDONMENT	RULE	COMMENTS
<p>NOTICE OF ABANDONMENT TO LAW ENFORCEMENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Law enforcement abandonment reporting will be required if the law enforcement agency requires it <input type="checkbox"/> Must be sent if vehicle remains unclaimed 10 days after the date the first notice was mailed or published. The VSF must send this notice within 7 days after the 10th day. <input type="checkbox"/> The VSF must send a \$10 fee along with the notice. 	<p>85.704(b) 2303.154(a) 2303.1545(b)(2)</p>	

DOCUMENT REVIEW – SECOND NOTIFICATION LETTER/CONSENT TO SALE	RULE	COMMENTS
<p>SECOND NOTIFICATION LETTER/CONSENT TO SALE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Must be sent <u>unless the vehicle is an Abandoned Nuisance Vehicle</u> (10 model years or older, only suitable for demolishing, dismantling or disposal) or the vehicle was claimed by the Law Enforcement Agency in response to the 10 Notice of Abandonment above. <input type="checkbox"/> Must be sent no sooner than the 15th date after the date the First Notice was mailed, and no later than the 21st day. <input type="checkbox"/> Must meet all the mailing requirements of the First Notice <input type="checkbox"/> Must contain all information included in the First Notice <input type="checkbox"/> Must also contain a statement that the failure of the owner or lienholder to claim the vehicle & property before the 30th day after the date the notice is provided: <ul style="list-style-type: none"> <input type="checkbox"/> A waiver of all right, title and interest in the vehicle; and <input type="checkbox"/> a consent to the sale of the vehicle at a public sale 	<p>85.704(a) 85.704(c)</p>	

DOCUMENT REVIEW – NOTICE BY PUBLICATION	RULE	COMMENTS
<p>NOTICE BY PUBLICATION - PROCEDURES</p> <ul style="list-style-type: none"> <input type="checkbox"/> Published in a newspaper in the county where the vehicle is stored <input type="checkbox"/> Must follow the same timelines as the mailed notice <input type="checkbox"/> For vehicles registered in another state; <input type="checkbox"/> The VSF submits a written request to the governmental agency in the state the vehicle is registered requesting information related to the identity of the registered owner and any lienholder (Must be sent certified mail with return receipt); <input type="checkbox"/> The identity of the registered owner cannot be determined; <input type="checkbox"/> The registration does not contain an address of the registered owner; <u>OR</u> <input type="checkbox"/> The VSF cannot reasonably determine the identity and address of each lienholder 	<p>2303.152/ 85.703(e)</p>	
<p>NOTICE BY PUBLICATION – TECHNICAL REQUIREMENTS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Contains the Name, Street Address, Telephone Number & VSF License Number <input type="checkbox"/> Contains a description of the Vehicle 	<p>85.703(h)(2)</p>	

	<input type="checkbox"/> Contains the total amount of charges assessed against the Vehicle <input type="checkbox"/> Can contain more than one towed vehicle		
	NOTICE BY PUBLICATION – SECOND NOTIFICATION REQUIREMENTS <input type="checkbox"/> Must contain all information contained in the first notice by publication, and; <input type="checkbox"/> A statement that the failure of the owner or lienholder to claim the vehicle before the 30 th day after the notice is sent is: <ul style="list-style-type: none"> o a waiver of all right, title, and interest in the vehicle and personal property; and o a consent to the sale of the vehicle at a public sale. 	85.704(d)	

EMPLOYEE LICENSING & DRUG TESTING	RULE	COMMENTS
ALL EMPLOYEES HAVE REQUIRED VSF EMPLOYEE OR TOW OPERATOR LIC. DUAL LICENSE HAS BEEN REPEALED. IF THE PERSON HOLDS A TOW OPERATOR LICENSE, THEY CAN WORK IN A VSF WITHOUT A SPECIAL VSF OR DUAL LICENSE <input type="checkbox"/> Employees <input type="checkbox"/> Owner/Sole Proprietor	85.204(b) 85.204(c)	
FAILURE OF AN EMPLOYEE TO SUBMIT CHANGE OF ADDRESS WITHIN 30 DAYS	85.702(b)	
ALL EMPLOYEES HAVE REQUIRED DRUG TEST <input type="checkbox"/> Pre-Employment – must be done before offer to hire (include hire date) <input type="checkbox"/> Annual (must verify hire date) <input type="checkbox"/> Random (25%)	85.725(a)(6)(A) 85.725(a)(6)(B) 85.725(a)(6)(C)	
ALL EMPLOYEES HAVE SIGNED CONSENT FORM	85.725(a)(3)(A)	
IF AN EMPLOYEE TESTS POSITIVE <input type="checkbox"/> Pre-Employment the applicant must be denied employment <input type="checkbox"/> Post-Employment the applicant must stand down from VSF duties until a clean follow up test is obtained <input type="checkbox"/> Post-Employment the VSF shall notify the Department of any confirmed positive within 3 days	85.725(a)(11)(A) 85.725(a)(11)(B) 85.725(a)(8)(E)	

COMPANY ADMINISTRATIVE REQUIREMENTS	RULE	COMMENTS
FAILURE OF A VSF TO NOTIFY THE DEPARTMENT PRIOR TO: <input type="checkbox"/> Change of business name no later than the effective date of change <input type="checkbox"/> Change of mailing or physical address no later than the effective date of change <input type="checkbox"/> Change in facility storage capacity no later than the effective date of change <input type="checkbox"/> Change of drug testing policy	85.702(a)(1) 85.702(a)(2) 85.702(a)(3) 85.702(a)(4)	
ADEQUATE INSURANCE FOR NUMBER OF VEHICLES BEING STORED <input type="checkbox"/> 50 or less - \$9,000 per claim <input type="checkbox"/> 51-99 - \$18,000 per claim <input type="checkbox"/> 100 + - \$25,000 per claim	85.400(d)(1)	
HONESTY, TRUSTWORTHINESS AND INTEGRITY ANY PERSON LICENSED UNDER THIS CHAPTER MUST CONDUCT VEHICLE STORAGE FACILITY OPERATIONS WITH HONESTY, TRUSTWORTHINESS AND INTEGRITY	85.726	
RIGHTS OF OWNERS OR THEIR AUTHORIZED REPRESENTATIVES <input type="checkbox"/> When releasing vehicles, the VSF shall comply with all provisions of 2308, Subchapter J, by providing the name, address, and phone no. of: <input type="checkbox"/> each justice court in the county from which the vehicle was towed, or website http://card.txcourts.gov/DirectorySearch.aspx	85.710(a)(1)(A)	
MUST COOPERATE WITH THE INSPECTOR THE VSF OWNER, MANAGER OR REPRESENTATIVE MUST COOPERATE WITH THE INSPECTOR	85.450(d)	

VIOLATIONS FIXED ON-SITE	RULE

