

PROPERTY CODE

TITLE 4. ACTIONS AND REMEDIES

CHAPTER 30. WRIT OF ASSISTANCE FOR REPOSSESSION OF AIRCRAFT

Sec. 30.01. DEFINITIONS. In this chapter:

(1) "Aircraft" means a self-propelled motor vehicle that can be used to transport a person by flight in the air.

(2) "Repossession" means the recovery of an aircraft that has been sold under a security agreement containing a repossession clause authorizing the lender to recover the aircraft if the borrower defaults under the agreement.

(3) "Repossession agent" means an individual who is authorized to engage in a repossession for a lender.

Added by Acts 2015, 84th Leg., R.S., Ch. 1125 (H.B. 3901), Sec. 1, eff. September 1, 2015.

Sec. 30.02. WRIT OF ASSISTANCE FOR REPOSSESSION OF AIRCRAFT. (a) A writ of assistance for the repossession of an aircraft authorizes a peace officer to assist and protect a repossession agent in gaining possession of the aircraft while the agent:

(1) secures the aircraft on site; or

(2) prepares the aircraft, which may include a mechanical inspection, for removal from the site by flight or otherwise to another location.

(b) A writ of assistance for the repossession of an aircraft is valid for 30 days.

(c) A justice court may grant unlimited extensions of a writ of assistance issued under this chapter.

Added by Acts 2015, 84th Leg., R.S., Ch. 1125 (H.B. 3901), Sec. 1, eff. September 1, 2015.

Sec. 30.03. PETITION FOR WRIT OF ASSISTANCE. (a) A repossession agent may file a petition in a justice court for a writ of assistance for the repossession of an aircraft.

(b) The repossession agent is entitled to the writ if the repossession agent establishes that:

(1) the aircraft is subject to the proposed repossession; and

(2) the repossession agent is authorized to engage in the repossession.

(c) The petition for the writ must include a copy of:

(1) the security agreement relating to the aircraft;

(2) the notice of default under the security agreement sent by the lender to the borrower;

(3) the instrument in which a power of attorney for the repossession is granted to the repossession agent by the lender; and

(4) the results of a title search of the Federal Aviation Administration's records for the aircraft.

Added by Acts 2015, 84th Leg., R.S., Ch. 1125 (H.B. [3901](#)), Sec. 1, eff. September 1, 2015.