

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.