

1 facilities shall charge any fee for nonconsensual towed vehicles and
2 storage which exceeds the maximum rates established by the
3 Commission. Such rates shall be in addition to any other rates,
4 fees or charges authorized, allowed or required by law, including
5 environmental remediation fees and services.

6 B. 1. Storage or after-hours release of a towed vehicle, or
7 both, provided by a wrecker or towing service or by a repair
8 facility shall be recorded by the operator on a bill or invoice as
9 prescribed by rules of the Department.

10 2. Nothing herein shall limit the right of an operator or
11 repair facility who has provided or caused to be provided storage or
12 after-hours release of a towed vehicle, or both, to require
13 prepayment, in part or in full, or guarantee of payment of any
14 charges incurred for providing such services.

15 3. This section shall not be construed to require an operator
16 or repair facility to charge a fee for the storage or after-hours
17 release, or both, of any towed vehicle.

18 4. The operator or repair facility is authorized to collect all
19 lawful fees in acceptable forms of payment such as through check,
20 credit card, automated clearing house transfer, or debit card from
21 the owner, lienholder or agent of the towed vehicle or insurer
22 accepting liability for paying the claim for a vehicle or purchasing
23 the vehicle as a total loss vehicle from the registered owner for
24 the performance of any and all such services. An operator or repair

1 facility shall make the towed vehicle available for inspection by
2 the owner, lien holder, agent of the towed vehicle, or insurer
3 accepting liability for paying the claim for a vehicle and shall
4 release the vehicle from storage upon authorization from the owner,
5 agent or lienholder of the vehicle or in the case of a total loss,
6 the insurer accepting liability for paying the claim for the vehicle
7 or purchasing the vehicle where the vehicle is to be moved to an
8 insurance pool yard for sale.

9 C. The rates in subsections D through F of this section shall
10 be applicable until superseded by rates established by the
11 Commission.

12 D. Outdoor Storage Rates.

13 1. Rates in this subsection shall apply to the outdoor storage
14 of a towed vehicle. Rates may be applied from the time the towed
15 vehicle is brought onto the outdoor storage facility premises.
16 Rates shall apply to each calendar day of outdoor storage; provided,
17 the maximum twenty-four-hour fee, as provided for in this section,
18 may be charged for any towed vehicle which is stored for a portion
19 of a twenty-four-hour period.

20 2. Maximum outdoor storage rates shall be as follows:

21	Rate per Each
22	24-hour Period or
23 Type of Towed Vehicle	Portion Thereof

24

1	Single vehicle: motorcycle, automobile,	
2	or light truck up to 20 feet in length	\$15.00
3	Single vehicle or combination of vehicles	
4	over 20 feet in length but less than 30	
5	feet in length	\$20.00
6	Single vehicle or combination of vehicles	
7	over 30 feet in length and up to 8 feet	
8	in width	\$25.00
9	Single vehicle or combination of vehicles	
10	over 30 feet in length and over 8 feet	
11	in width	\$35.00

12 E. Indoor Storage Rates~~+~~.

13 1. Rates in this subsection shall apply to the indoor storage
14 of a towed vehicle. Rates may be applied from the time the towed
15 vehicle is brought into the indoor storage facility premises. Rates
16 shall apply to each calendar day of indoor storage; provided, the
17 maximum twenty-four-hour fee, as provided for in this section, may
18 be charged for any towed vehicle which is stored for a portion of a
19 twenty-four-hour period.

20 2. Maximum indoor storage rates shall be as follows:

21		Rate per Each
22		24-hour Period or
23	Type of Towed Vehicle	Portion Thereof

24

1	Single vehicle: motorcycle, automobile,	
2	or light truck up to 20 feet in length	\$25.00
3	Single vehicle or combination of vehicles	
4	over 20 feet in length but less than 30	
5	feet in length	\$30.00
6	Single vehicle or combination of vehicles	
7	over 30 feet in length and up to 8 feet	
8	in width	\$35.00
9	Single vehicle or combination of vehicles	
10	over 30 feet in length and over 8 feet	
11	in width	\$45.00

12 3. For purposes of this subsection, "indoor storage" means the
13 vehicle is kept in an enclosed facility.

14 F. After-Hours Release Rate.

15 1. The rate in this subsection shall apply to the release of a
16 towed vehicle to the owner, lienholder, or agent when such release
17 occurs at a time other than normal business hours.

18 2. As used in this subsection:

19 a. "after-hours release rate" shall mean the rate charged
20 for the release of a towed vehicle between the hours
21 of midnight and 8:00 a.m., or between the hours of
22 4:00 p.m. and midnight Monday through Friday, or any
23 time on Saturday, Sunday or a national holiday, and
24

1 b. "national holiday" shall mean New Year's Day, Martin
2 Luther King Day, George Washington's Birthday, on the
3 third Monday in February, Memorial Day, Independence
4 Day, Labor Day, Veterans Day, Thanksgiving Day and
5 Christmas Day, and shall further include the Friday
6 before such national holiday which falls on a Saturday
7 and the Monday following such national holiday which
8 falls on a Sunday.

9 3. The maximum after-hours release rate shall be Fifteen
10 Dollars (\$15.00) per quarter hour for the release of any single
11 vehicle or combination of vehicles.

12 G. An operator or repair facility shall be required to provide
13 reasonable documentation to substantiate all lawful fees charged the
14 owner, lienholder, agent or insurer accepting liability for paying
15 the claim for the towed vehicle or purchasing the towed vehicle.
16 Fees for which the operator or repair facility is being reimbursed,
17 or having paid to a third party, shall include copies of the invoice
18 or other appropriate documents to substantiate the payment to the
19 third party.

20 SECTION 2. This act shall become effective November 1, 2023.

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22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/04/2023 -
23 DO PASS.
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