

HB 360 -- Towing Abandoned Vehicles from Public Property

Sponsor: Ervin

This bill establishes the procedures for a towing company to recover reasonable towing and storage fees after towing abandoned property from public property when directed by law enforcement. The towing company can file within 30 days, but not more than 45 days after removal, an affidavit along with an application including certain information regarding the personal property towed as well as a copy of the crime inquiry and inspection report to the Department of Revenue.

Within five days of receipt of the application, the department director must send notice to the registered owner of the abandoned property that a claim for reasonable towing and storage charges has been filed. If the owner does not provide satisfactory proof of payment of the charges within 30 days of receiving the notice, the owner's driver's license or driving privileges and any motor vehicle registrations registered in the owner's name will be suspended. A notice of suspension must be mailed to the registered owner at the last known address specifying the reasons for and the effective date of the suspension and include information regarding the right and procedures for requesting a hearing.

The suspension becomes effective 30 days after it is deemed the notice has been received and will continue until the owner submits proof that he or she has satisfied all reasonable towing and storage charges associated with the abandoned property. Reasonable storage charges cannot exceed 90 days.

The State Highway Patrol may use a rotation list when requesting wrecker or towing services.

The bill also allows any vehicle responding to an emergency or critical situation on a state highway to use amber lights instead of red or blue lights when there is a threat of serious physical injury or death.