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HOUSE BILL NO. 958

Offered January 12, 2022

Prefiled January 12, 2022

*A BILL to amend and reenact § 46.2-1233.1 of the Code of Virginia, relating to towing fees.*Patron—TranCommittee Referral Pending**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-1233.1 of the Code of Virginia is amended and reenacted as follows:****§ 46.2-1233.1. Limitation on charges for towing and storage of certain vehicles.**

A. Unless different limits are established by ordinance of the local governing body pursuant to § 46.2-1233, as to vehicles towed or removed from private property, no No charges imposed for the towing, storage, and safekeeping of any passenger car removed, towed, or stored without the consent of its owner or pursuant to a lawful request for towing by a law-enforcement officer or other uniformed employee of a law-enforcement agency who specifically is authorized to make a request for towing by the chief law-enforcement officer or his designee shall be in excess of the maximum charges provided for in this section. No hookup and initial towing fee of any passenger car shall exceed \$150. For vehicles involved in a crash or traffic incident that are located so as to impede the orderly flow of traffic, such hookup and initial towing fee shall be no more than 2.5 times the maximum amount authorized in this subsection. For towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional fee of no more than \$30 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less. Except for fees or charges imposed by this section or a local ordinance adopted pursuant to § 46.2-1233, no other fees or charges shall be imposed during the first 24-hour period. The fee limits established pursuant to this subsection shall not apply if different limits are established for such fees by ordinance of the local governing body pursuant to § 46.2-1217 or 46.2-1233.

B. Any towing and recovery operator responding to any lawful request for towing by a law-enforcement officer or other uniformed employee of a law-enforcement agency who specifically is authorized to make a request for towing by the chief law-enforcement officer or his designee shall provide to the owner or operator of the vehicle being towed a written explanation of the fees charged by the towing and recovery operator. If the vehicle owner or operator is not present, the towing and recovery operator or designee shall send such written explanation of fees and charges by mail to the address where the vehicle is registered or by electronic mail to the owner or operator no later than one business day following the vehicle towing or recovery, provided that the towing and recovery operator knows such address or electronic mail address.

C. The governing body of any county, city, or town may by ordinance, with the advice of an advisory board established pursuant to § 46.2-1233.2, (i) provide that no towing and recovery business having custody of a vehicle towed without the consent of its owner impose storage charges for that vehicle for any period during which the owner of the vehicle was prevented from recovering the vehicle because the towing and recovery business was closed and (ii) place limits on the amount of fees charged by towing and recovery operators. Any such ordinance limiting fees shall also provide for periodic review of and timely adjustment of such limitations.

INTRODUCED

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