



28 (1) Except for tow truck service that was ordered by a peace officer, or a person acting  
29 on behalf of a law enforcement agency, or a highway authority, as defined in Section 72-1-102,  
30 after performing a tow truck service that is being done without the vehicle, vessel, or outboard  
31 motor owner's knowledge, the tow truck operator or the tow truck motor carrier shall:

32 (a) immediately upon arriving at the place of storage or impound of the vehicle, vessel,  
33 or outboard motor, contact the law enforcement agency having jurisdiction over the area where  
34 the vehicle, vessel, or outboard motor was picked up and notify the agency of the:

- 35 (i) location of the vehicle, vessel, or outboard motor;
- 36 (ii) date, time, and location from which the vehicle, vessel, or outboard motor was  
37 removed;
- 38 (iii) reasons for the removal of the vehicle, vessel, or outboard motor;
- 39 (iv) person who requested the removal of the vehicle, vessel, or outboard motor; and
- 40 (v) vehicle, vessel, or outboard motor's description, including its identification number  
41 and license number or other identification number issued by a state agency; and

42 (b) within two business days of performing the tow truck service under Subsection  
43 (1)(a), send a certified letter to the last-known address of the registered owner and lien holder  
44 of the vehicle, vessel, or outboard motor obtained from the Motor Vehicle Division or if the  
45 person has actual knowledge of the owner's address to the current address, notifying [~~him~~] the  
46 owner of the:

- 47 (i) location of the vehicle, vessel, or outboard motor;
- 48 (ii) date, time, location from which the vehicle, vessel, or outboard motor was  
49 removed;
- 50 (iii) reasons for the removal of the vehicle, vessel, or outboard motor;
- 51 (iv) person who requested the removal of the vehicle, vessel, or outboard motor;
- 52 (v) a description, including its identification number and license number or other  
53 identification number issued by a state agency; and
- 54 (vi) costs and procedures to retrieve the vehicle, vessel, or outboard motor.

55 (2) (a) Until the tow truck operator or tow truck motor carrier reports the removal as  
56 required under Subsection (1)(a), a tow truck operator, tow truck motor carrier, or impound  
57 yard may not:

- 58 [~~(a)~~] (i) collect any fee associated with the removal; [~~and~~] or

59           ~~(b)~~ (ii) begin charging storage fees.

60           (b) (i) A tow truck operator or tow truck motor carrier may not perform a tow truck  
61 service without the vehicle, vessel, or outboard motor owner's or a lien holder's knowledge at  
62 either of the following locations without signage that meets the requirements of Subsection  
63 (2)(b)(ii):

64           (A) a mobile home park as defined in Section 57-16-3; or

65           (B) a multifamily dwelling of more than four units.

66           (ii) Signage under Subsection (2)(b)(i) shall display:

67           (A) where parking is subject to towing;

68           (B) the name and phone number of the tow truck operator or tow truck motor carrier

69 that performs a tow truck service for the locations listed under Subsection (2)(b)(i); and

70           (C) the Internet website address that provides access to towing database information in  
71 accordance with Section 41-6a-1406.

72           (3) The owner of a vehicle, vessel, or outboard motor lawfully removed is only  
73 responsible for paying:

74           (a) the tow truck service and storage fees set in accordance with Subsection (7); and

75           (b) the administrative impound fee set in Section 41-6a-1406, if applicable.

76           (4) The fees under Subsection (3) are a possessory lien on the vehicle, vessel, or  
77 outboard motor until paid.

78           (5) A person may not request a transfer of title to an abandoned vehicle until at least 30  
79 days after notice has been sent under Subsection (1)(b).

80           (6) A tow truck motor carrier or impound yard shall clearly and conspicuously post and  
81 disclose all its current fees and rates for tow truck service and storage of a vehicle in  
82 accordance with rules established under Subsection (7).

83           (7) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
84 Department of Transportation shall:

85           (a) set maximum rates that:

86           (i) tow truck motor carriers may charge for the tow truck service of a vehicle, vessel, or  
87 outboard motor that are transported in response to:

88           (A) a peace officer dispatch call;

89           (B) a motor vehicle division call; and

90 (C) any other call where the owner of the vehicle, vessel, or outboard motor has not  
91 consented to the removal; and

92 (ii) impound yards may charge for the storage of a vehicle, vessel, or outboard motor  
93 stored as a result of one of the conditions listed under Subsection (7)(a)(i);

94 (b) establish authorized towing certification requirements, not in conflict with federal  
95 law, related to incident safety, clean-up, and hazardous material handling; and

96 (c) specify the form and content of the posting and disclosure of fees and rates charged  
97 by a tow truck motor carrier or impound yard.

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**Legislative Review Note**  
as of 1-7-08 10:54 AM

**Office of Legislative Research and General Counsel**

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**H.B. 275 - Vehicle Towing Requirements**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill will create a cost to owners or operators at mobile home parks and multifamily dwellings for proper signage to be posted to comply with provisions of this bill. Enactment will not result in direct, measurable costs and/or benefits for local governments.

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