

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1992

By: Turner

6 AS INTRODUCED

7 An Act relating to motor vehicles; requiring certain
8 vehicles involved in accidents to be considered
9 combination vehicles; requiring officers make certain
10 report; stating when certain lien is perfected;
11 defining term; amending 47 O.S. 2021, Section 953.1,
which relates to maximum fees and charge; clarifying
when certain additional fees may be charged;
modifying name of responsible agency; providing for
codification; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified

16 in the Oklahoma Statutes as Section 10-119 of Title 47, unless there
17 is created a duplication in numbering, reads as follows:

18 A. In situations where an accident has caused, or requires, the
19 separation of truck tractor from trailer, multiple trailers, or a
20 truck tractor pulling another truck tractor, or multiple truck
21 tractors, the truck tractor and trailer shall be considered a
22 combination vehicle. Any officer of the Department of Public Safety
23 or any other political subdivision of this state authorized to cause
24 to be towed any vehicle found upon public roads, highways, streets,

1 turnpikes, private parking lots accessible to the public, other
2 public places or upon any private road, street, alley or lane which
3 provides access to one or more single-family or multifamily
4 dwellings shall report at the scene of an accident that the vehicle
5 requiring wrecker or towing service is a combination vehicle and is
6 subject to removal by nonconsensual tow.

7 B. A possessory lien arising pursuant to Section 962 of this
8 title shall be considered perfected when the total amount of the
9 debt for services rendered for wrecker or towing service of a
10 combination vehicle is paid in full.

11 C. For the purposes of this section, a combination vehicle
12 shall consist of a truck-tractor semitrailer combination with one or
13 more attached trailers.

14 SECTION 2. AMENDATORY 47 O.S. 2021, Section 953.1, is
15 amended to read as follows:

16 Section 953.1. A. The rates established by the Corporation
17 Commission shall determine the nonconsensual tow maximum fees and
18 charges for wrecker or towing services performed in this state,
19 including incorporated and unincorporated areas, by a wrecker or
20 towing service licensed by the Department of Public Safety when that
21 service appears on the rotation log of the Department or on the
22 rotation log of any municipality, county or other political
23 subdivision of this state, and the services performed are at the
24 request or at the direction of any officer of the Department or of a

1 municipality, county, or political subdivision. No wrecker or
2 towing service in the performance of transporting or storing
3 vehicles or other property towed as a result of a nonconsensual tow
4 shall charge any fee which exceeds the maximum rates established by
5 the Commission. Such rates shall be in addition to any other rates,
6 fees or charges authorized, allowed or required by law and costs to
7 collect such fees. Any wrecker or towing service is authorized to
8 collect from the owner, lienholder, agent or insurer accepting
9 liability for paying the claim for a vehicle or purchasing the
10 vehicle as a total loss vehicle from the registered owner of any
11 towed or stored vehicle, the fee required by Section 904 of this
12 title including environmental remediation fees and services.

13 B. When wrecker or towing services are performed as provided in
14 subsection A of this section:

15 1. Each performance of a wrecker or towing service shall be
16 recorded by the operator on a bill or invoice as prescribed by rules
17 of the Department and by order of the Commission;

18 2. Nothing herein shall limit the right of an operator who has
19 provided or caused to be provided wrecker or towing services to
20 require prepayment, in part or in full, or guarantee of payment of
21 any charges incurred for providing such services;

22 3. This section shall not be construed to require an operator
23 to charge a fee for the performance of any wrecker or towing
24 services; and

1 4. The operator is authorized to collect all lawful fees from
2 the owner, lienholder or agent or insurer accepting liability for
3 paying the claim for a vehicle or purchasing the vehicle as a total
4 loss vehicle from the registered owner of the towed vehicle for the
5 performance of any and all such services and costs to collect such
6 fees. An operator shall release the vehicle from storage upon
7 authorization from the owner, agent or lienholder of the vehicle or,
8 in the case of a total loss, the insurer accepting liability for
9 paying the claim for the vehicle or purchasing the vehicle where the
10 vehicle is to be moved to an insurance pool yard for sale.

11 C. The rates in subsections D through G of this section shall
12 be applicable until superseded by rates established by the
13 Commission.

14 D. Distance Rates.

15 1. Rates in this subsection shall apply to the distance the
16 towed vehicle is transported and shall include services of the
17 operator of the wrecker vehicle. Hourly rates, as provided in
18 subsection E of this section, may be applied in lieu of distance
19 rates. Hourly rates may be applied from the time the wrecker
20 vehicle is assigned to the service call until the time it is
21 released from service either upon return to the premises of the
22 wrecker or towing service or upon being assigned to perform another
23 wrecker or towing service, whichever occurs first. When the hourly
24 rate is applied in lieu of distance towing rates, the operator may

1 not apply the two-hour minimum prescribed in subsection E of this
2 section nor may hookup or mileage charges, as prescribed in this
3 section, be applied.

4 Such distance rates shall be computed via the shortest highway
5 mileage as determined from the latest official Oklahoma Department
6 of Transportation state highway map, except as follows:

- 7 a. for distances or portions of distances not
8 specifically provided for in the governing highway
9 map, the actual mileage via the shortest practical
10 route will apply,
- 11 b. in computing distances, fractions of a mile will be
12 retained until the final and full mileage is
13 determined, at which time any remaining fraction shall
14 be increased to the next whole mile,
- 15 c. when, due to circumstances beyond the control of the
16 wrecker or towing service, roadway conditions make it
17 impractical to travel via the shortest route, distance
18 rates shall be computed based on the shortest
19 practical route over which the wrecker vehicle and the
20 vehicle it is towing can be moved, which route shall
21 be noted on the bill or invoice, or
- 22 d. when the wrecker or towing service is performed upon
23 any turnpike or toll road, the turnpike or toll road
24 mileage shall be used to determine the distance rates

1 charged and the turnpike or toll road fees may be
2 added to the bill or invoice.

3 2. Maximum distance rates shall be as follows:

4 Weight of Towed Vehicle	5 (In pounds, including equipment and lading)	6 Distance	7 Rate
8 Single vehicle: 8,000 or less	9	10 25 miles or less	11 \$3.00
12 Single vehicle: 8,000 or less	13	14 Over 25 miles	15 \$2.50
16 Single vehicle: 8,001 to 12,000	17	18 25 miles or less	19 \$3.40
20 Single vehicle: 8,001 to 12,000	21	22 Over 25 miles	23 \$3.00
24 Single vehicle: 12,001 to 40,000	25	26 Any	27 \$5.75
28 Single vehicle: 40,000 or over	29	30 Any	31 \$6.75
32 Combination of vehicles	33	34 Any	35 \$6.75

36 E. Hourly Rates.

37 1. Rates in this subsection shall apply for the use of a
38 wrecker vehicle and shall include services of the operator of such
39 wrecker, except as provided in paragraph 4 of this subsection.
40 Rates shall apply for all wrecker or towing services performed that
41 are not otherwise provided for in this section, including, but not
42 limited to, waiting and standby time, but shall not include the
43 first fifteen (15) minutes of service following the hookup of a
44 vehicle when a hookup fee is assessed, as provided in subsection F
45 of this section.

1 Hourly rates shall apply from the time the vehicle or labor is
2 assigned to the service call until the time it is released from
3 service either upon return to the premises of the wrecker or towing
4 service or upon being assigned to perform another wrecker or towing
5 service, whichever occurs first. Whenever a wrecker vehicle is used
6 to tow a vehicle subject to distance rates, as provided in
7 subsection D of this section, hourly rates shall apply only for the
8 time such wrecker is used in the performance of services other than
9 transportation, except when such hourly rates are used in lieu of
10 such distance rates.

11 As used in this subsection, rates stated per hour apply for
12 whole hours and, for fractions of an hour, rates stated per fifteen
13 (15) minutes apply for each fifteen (15) minutes or fraction thereof
14 over seven and one-half (7 1/2) minutes. However, if the service
15 subject to an hourly rate is performed in less than two (2) hours,
16 the charge applicable for two (2) hours may be assessed, except as
17 provided for in subsection D of this section.

18 2. Maximum hourly rates for wrecker or towing services
19 performed for passenger vehicles, when rates for such services are
20 not otherwise provided for by law, shall be as follows:

Weight of Towed Passenger Vehicle (In pounds)	Rate Per Hour	Rate Per 15 Minutes
Single vehicle: 8,000 or less	\$60.00	\$15.00
Single vehicle: 8,001 to 24,000	\$80.00	\$20.00

1 Single vehicle: 24,001 to 44,000 \$120.00 \$30.00

2 Single vehicle: 44,001 or over \$180.00 \$45.00

3 Combination of vehicles \$180.00 \$45.00

4 3. Maximum hourly rates for all other wrecker or towing
5 services, when rates for such other services are not otherwise
6 provided for by law, shall be determined based upon the gross
7 vehicle weight rating of each wrecker vehicle used as follows:

8 GVWR of Wrecker Vehicle Rate Per Rate Per

9 (In pounds) Hour 15 Minutes

10 8,000 or less \$60.00 \$15.00

11 8,001 to 24,000 \$80.00 \$20.00

12 24,001 to 44,000 \$120.00 \$30.00

13 44,001 or over \$180.00 \$45.00

14 Combination wrecker vehicle

15 with GVWR of 24,000 or over \$180.00 \$45.00

16 4. a. Maximum hourly rates for extra labor shall be Thirty

17 Dollars (\$30.00) per person per hour.

18 b. Maximum hourly rates for skilled or specialized labor

19 and/or equipment shall be the actual customary and

20 ordinary rates charged for such labor and/or

21 equipment. When skilled or specialized labor or

22 equipment is required, the wrecker operator's cost for

23 such skilled or specialized labor or equipment plus a

24 twenty-five percent (25%) gross profit markup to cover

1 overhead costs for such labor will be added to the
2 invoice or freight bill to be collected in addition to
3 all other applicable charges.

4 F. Hookup Rates.

5 1. Rates in this subsection shall apply to the hookup of a
6 vehicle to a wrecker vehicle when such hookup is performed in
7 connection with a wrecker or towing service described in this
8 section. Such hookup rate shall include the first fifteen (15)
9 minutes of such service, for which there shall be no additional fee
10 charged, but shall not include the use of a dolly or rollback
11 equipment or a combination wrecker vehicle to accomplish such
12 hookup, for which an additional fee may be charged as provided in
13 subsection G of this section. Hookup shall include, but not be
14 limited to, the attachment of a vehicle to or the loading of a
15 vehicle onto a wrecker vehicle.

16 2. Maximum hookup rates shall be as follows:

17 Weight of Vehicle Being Hooked Up

(In pounds, including equipment and lading)	Rate
Single vehicle: 8,000 or less	\$65.00
Single vehicle: 8,001 to 12,000	\$75.00
Single vehicle: 12,001 to 24,000	\$85.00
Single vehicle: 24,001 or over	\$95.00
Combination of vehicles	\$95.00

G. Additional Service Rates.

2 1. Rates in this subsection shall apply to the performance of
3 the following services:

- a. the disconnection and reconnection of a towed vehicle's drive line when necessary to prevent mechanical damage to such vehicle,
 - b. the removal and replacement of a towed vehicle's axle when necessary to prevent mechanical damage to such vehicle, or
 - c. the use of a dolly or rollback equipment when essential to prevent mechanical damage to a towed vehicle or when neither end of such vehicle is capable of being towed safely while in contact with the roadway.

2. Maximum additional service rates shall be as follows:

16	Weight of Towed	Service Performed		
17	Vehicle (In pounds, Disconnect	Reconnect	Use of Dolly	
18	including equipment Drive Line;	Drive Line;	or Rollback	
19	and lading)	Remove Axle	Replace Axle	Equipment
20		Rate Per Service Performed		
21	8,000 or less	\$10.00	\$15.00	\$25.00
22	8,001 to 12,000	\$15.00	\$20.00	\$30.00
23		Rate Per 15 Minutes of Service Performed		
24	12,001 or over	\$20.00	\$20.00	Not applicable

1 H. An operator shall be required to provide reasonable
2 documentation to substantiate all lawful fees charged the owner,
3 lienholder, agent or insurer paying the claim for the towed vehicle.
4 Fees for which the operator is being reimbursed or having paid to a
5 third party, shall include copies of the invoice or other
6 appropriate documents to substantiate such payment to said third
7 party.

8 I. Wrecker fees, including maximum distance, hourly, and hookup
9 rates shall be adjusted weekly by adding a fuel surcharge as
10 provided in this section. The fuel surcharge shall be based on the
11 Department of Energy "weekly retail on-highway diesel prices" for
12 the "Midwest region" using Two Dollars (\$2.00) per gallon as the
13 base price with no fees added. The wrecker fees shall be adjusted
14 to allow a one-percent increase in fees for every ten-cent increase
15 in fuel cost starting at Two Dollars and ten cents (\$2.10) per
16 gallon.

17 J. When skilled or specialized labor or equipment is required,
18 the cost incurred by the wrecker operator for such skilled or
19 specialized labor or equipment plus an additional twenty-five
20 percent (25%) gross profit markup or gross profit margin shall be
21 allowed to cover overhead costs for such labor and will be added to
22 the invoice or freight bill to be collected in addition to all other
23 applicable charges. The additional twenty-five percent (25%) gross
profit markup or gross profit margin allowed by this subsection

1 shall be chargeable by the wrecker operator whether or not the
2 wrecker operator pays for specialized labor or equipment up front.

3 This applies to labor and equipment not regulated by the Commission.

4 K. Wrecker operators shall be allowed to obtain ownership and
5 insurer information, including accident reports and other public
6 records, from ~~the Oklahoma Tax Commission~~ Service Oklahoma or other
7 states' motor vehicle agencies or from law enforcement agencies for
8 the purpose of determining ownership and responsibility for wrecker
9 fees. In the event a state of origin is not known, the Department
10 of Public Safety and ~~the Oklahoma Tax Commission~~ Service Oklahoma
11 shall assist in providing such information. The wrecker operator is
12 authorized to collect lawful fees for such costs and services from
13 the owner, lienholder that seeks possession of a vehicle under a
14 security interest, agent, or insurer accepting liability for paying
15 the claim for a vehicle or purchasing the vehicle as a total loss
16 vehicle from the owner of any towed or stored vehicle.

17 SECTION 3. This act shall become effective November 1, 2025.
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