

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
FOR
5 HOUSE BILL NO. 1753

By: Kerbs of the House

6 and

7 **Frix** of the Senate

8

9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 2021, Section 952, which relates to rulemaking
12 authority; modifying certain Corporation Commission
13 duties; amending 47 O.S. 2021, Section 953.1, which
14 relates to maximum fees and charges; modifying duties
15 of the Corporation Commission; deleting certain rate
16 calculations; requiring rates be calculated using
17 certain federal data; requiring certain annual
18 update; modifying calculation of certain rates;
19 modifying responsible agency; amending 47 O.S. 2021,
20 Section 953.2, as amended by Section 1, Chapter 316,
21 O.S.L. 2023 (47 O.S. Supp. 2024, Section 953.2),
22 which relates to fees and charges for storage;
23 modifying duties of the Corporation Commission;
24 requiring certain rates be calculated using certain
25 federal data; requiring certain annual update;
26 modifying calculation of certain rates; amending 47
27 O.S. 2021, Section 966, which relates to the
28 Nonconsensual Towing Act of 2011; modifying powers
29 and authority of the Corporation Commission; and
30 providing an effective date.

31

32

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

1 SECTION 1. AMENDATORY 47 O.S. 2021, Section 952, is
2 amended to read as follows:

3 Section 952. A. Except for the ~~rates established by duties~~
4 assigned to the Corporation Commission and ~~other provisions~~ as
5 provided for by law, the Department of Public Safety shall have the
6 power and authority necessary to license, supervise, govern and
7 control wrecker vehicles and wrecker or towing services.

8 B. The Department of Public Safety shall adopt and prescribe
9 such rules as are necessary to carry out the intent of Section 951
10 et seq. of this title.

11 The rules shall state the requirements for facilities, for
12 storage of vehicles, necessary towing equipment, the records to be
13 kept by operators, liability insurance and insurance covering the
14 vehicle and its contents while in storage in such sum and with such
15 provisions as the Department deems necessary to adequately protect
16 the interests of the public, and such other matters as the
17 Department may prescribe for the protection of the public.

18 C. Unless otherwise regulated by the governing body of the
19 political subdivision, the wrecker vehicle used to perform wrecker
20 or towing services requested by a political subdivision of this
21 state for removal of a vehicle from public property for reasons
22 listed in Section 955 of this title shall be from the licensed
23 wrecker or towing service whose location is nearest to the vehicle
24 to be towed. Requests for service may be alternated or rotated

1 among all such licensed wrecker or towing services which are located
2 within a reasonable radius of each other. In cities of less than
3 fifty thousand (50,000) population, all such licensed wrecker or
4 towing services located near or in the city limits of such cities
5 shall be considered as being equal distance and shall be called on
6 an equal basis as nearly as possible. The police chief of any
7 municipality and the county sheriff of each county shall keep
8 rotation logs on all requested tows, except where there are
9 insufficient licensed wrecker or towing services available to rotate
10 such services or services are contracted after a competitive bid
11 process. Rotation logs shall be made available for public
12 inspection upon request. Any calls made from cell phones or two-way
13 radios by any law enforcement officer or employee of any
14 municipality or county to any wrecker service shall be listed on the
15 rotation or call logs and made available for public inspection. A
16 wrecker service shall not be removed from rotation without
17 notification to the wrecker operator stating the reason for removal
18 from the rotation log. All notification for removal from a rotation
19 log shall be mailed to the wrecker service owner at least ten (10)
20 days before removal from the rotation log and shall state the
21 procedure and requirements for reinstatement.

22 D. Except as otherwise provided in this subsection, the
23 Department and any municipality, county or other political
24 subdivision of this state shall not place any wrecker or towing

1 service upon an official rotation log for the performance of
2 services carried out pursuant to the request of or at the direction
3 of any officer of the Department or municipality, county or
4 political subdivision unless the service meets the following
5 requirements:

- 6 1. Principal business facilities are located within Oklahoma;
- 7 2. Tow trucks are registered and licensed in Oklahoma; and
- 8 3. Owner is a resident of the State of Oklahoma or the service
is an Oklahoma corporation.

10 In the event a licensed wrecker or towing service is not located
11 within a county, a wrecker or towing service that is located outside
12 of the county or this state and does not meet the above
13 qualifications may be placed on the rotation log for the county or
14 any municipality or political subdivision located within the county.

15 When performing services at the request of any officer, no
16 operator or wrecker or towing service upon the rotation logs shall
17 charge fees in excess of the maximum rates for services performed
18 within this state, including incorporated and unincorporated areas,
19 as established by the Commission.

20 E. The Department shall place a licensed Class AA wrecker
21 service on the Highway Patrol Rotation Log in a highway patrol troop
22 district in which the place of business and the primary storage
23 facility of the wrecker service are located upon written request
24 filed by the wrecker service with the Department. Upon further

1 request of the wrecker service, the Commissioner of Public Safety or
2 the Department employee with statewide responsibility for
3 administration of wrecker services may place a wrecker service on
4 the Highway Patrol Rotation Log in a district adjacent to the
5 district in which the place of business and the primary storage
6 facility of the wrecker service are located if the wrecker service
7 is in proximity to and within a reasonable radius of the boundary of
8 the district. When a wrecker service is placed on the rotation log
9 in a district, the Department shall notify the wrecker service and
10 the troop commander of the district.

11 F. The Commissioner of Public Safety or the Department employee
12 with statewide responsibility for administration of wrecker services
13 shall be responsible for establishing geographical areas of rotation
14 within the troop districts and for notifying each wrecker service of
15 the geographical areas of rotation to which the service is assigned.

16 G. The Department shall make all rotation logs available for
17 public inspection at the state office and shall make rotation logs
18 for a highway patrol troop district available for public inspection
19 at the district office.

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

22 Section 953.1. A. The rates established ~~by the Corporation~~
23 Commission in this section shall determine the nonconsensual tow
24 maximum fees and charges for wrecker or towing services performed in

1 this state, including incorporated and unincorporated areas, by a
2 wrecker or towing service licensed by the Department of Public
3 Safety when that service appears on the rotation log of the
4 Department or on the rotation log of any municipality, county or
5 other political subdivision of this state, and the services
6 performed are at the request or at the direction of any officer of
7 the Department or of a municipality, county, or political
8 subdivision. No wrecker or towing service in the performance of
9 transporting or storing vehicles or other property towed as a result
10 of a nonconsensual tow shall charge any fee which exceeds the
11 maximum rates established by ~~the Commission~~ this section. Such
12 rates shall be in addition to any other rates, fees or charges
13 authorized, allowed or required by law and costs to collect such
14 fees. Any wrecker or towing service is authorized to collect from
15 the owner, lienholder, agent or insurer accepting liability for
16 paying the claim for a vehicle or purchasing the vehicle as a total
17 loss vehicle from the registered owner of any towed or stored
18 vehicle, the fee required by Section 904 of this title including
19 environmental remediation fees and services.

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

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

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

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

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

18 C. ~~The rates in subsections D through G of this section shall~~
19 ~~be applicable until superseded by rates established by the~~
20 ~~Commission.~~

21 D. ~~Distance rates.~~

22 1. ~~Rates in this subsection shall apply to the distance the~~
23 ~~towed vehicle is transported and shall include services of the~~
24 ~~operator of the wrecker vehicle. Hourly rates, as provided in~~

1 subsection E of this section, may be applied in lieu of distance
2 rates. Hourly rates may be applied from the time the wrecker
3 vehicle is assigned to the service call until the time it is
4 released from service either upon return to the premises of the
5 wrecker or towing service or upon being assigned to perform another
6 wrecker or towing service, whichever occurs first. When the hourly
7 rate is applied in lieu of distance towing rates, the operator may
8 not apply the two hour minimum prescribed in subsection E of this
9 section nor may hookup or mileage charges, as prescribed in this
10 section, be applied.

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

- 14 a. for distances or portions of distances not
15 specifically provided for in the governing highway
16 map, the actual mileage via the shortest practical
17 route will apply,
- 18 b. in computing distances, fractions of a mile will be
19 retained until the final and full mileage is
20 determined, at which time any remaining fraction shall
21 be increased to the next whole mile,
- 22 c. when, due to circumstances beyond the control of the
23 wrecker or towing service, roadway conditions make it
24 impractical to travel via the shortest route, distance

1 rates shall be computed based on the shortest
2 practical route over which the wrecker vehicle and the
3 vehicle it is towing can be moved, which route shall
4 be noted on the bill or invoice, or
5 d. when the wrecker or towing service is performed upon
6 any turnpike or toll road, the turnpike or toll road
7 mileage shall be used to determine the distance rates
8 charged and the turnpike or toll road fees may be
9 added to the bill or invoice.

10 2. Maximum distance rates shall be as follows:

| Weight of Towed Vehicle (In pounds, including equipment and lading) | Distance Towed | Rate Per Mile |
|---|-------------------|---------------------|
| Single vehicle: 8,000 or less | 25 miles or less | \$3.00 |
| Single vehicle: 8,000 or less | Over 25 miles | \$2.50 |
| Single vehicle: 8,001 to 12,000 | 25 miles or less | \$3.40 |
| Single vehicle: 8,001 to 12,000 | Over 25 miles | \$3.00 |
| Single vehicle: 12,001 to 40,000 | Any | \$5.75 |
| Single vehicle: 40,000 or over | Any | \$6.75 |
| Combination of vehicles | Any | \$6.75 |

21 E. Hourly Rates.

22 1. Rates in this subsection shall apply for the use of a
23 wrecker vehicle and shall include services of the operator of such
24 wrecker, except as provided in paragraph 4 of this subsection.

1 Rates shall apply for all wrecker or towing services performed that
2 ~~are not otherwise provided for in this section, including, but not~~
3 ~~limited to, waiting and standby time, but shall not include the~~
4 ~~first fifteen (15) minutes of service following the hookup of a~~
5 ~~vehicle when a hookup fee is assessed, as provided in subsection F~~
6 ~~of this section.~~

7 Hourly rates shall apply from the time the vehicle or labor is
8 assigned to the service call until the time it is released from
9 service either upon return to the premises of the wrecker or towing
10 service or upon being assigned to perform another wrecker or towing
11 service, whichever occurs first. ~~Whenever a wrecker vehicle is used~~
12 ~~to tow a vehicle subject to distance rates, as provided in~~
13 ~~subsection D of this section, hourly rates shall apply only for the~~
14 ~~time such wrecker is used in the performance of services other than~~
15 ~~transportation, except when such hourly rates are used in lieu of~~
16 ~~such distance rates.~~ The hourly rates established in this
17 subsection shall be calculated using the current daily federal per
18 diem rate maintained by the United States General Services
19 Administration (GSA). As used in this subsection, the daily federal
20 per diem rate shall include the rate for meals and lodging for the
21 locality in which the wrecker and towing service occurs. Rates
22 shall be automatically adjusted annually in accordance with the
23 updated GSA per diem rates for each locality.

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

2. Maximum hourly rates for wrecker or towing services performed ~~for passenger vehicles, when rates for such services are 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 |
| Single vehicle: 24,001 to 44,000 | \$120.00 | \$30.00 |
| Single vehicle: 44,001 or over | \$180.00 | \$45.00 |
| Combination of vehicles | \$180.00 | \$45.00 |

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

| GVWR of Wrecker Vehicle (In pounds) | Rate Per Hour | Rate Per 15 Minutes |
|--|------------------|------------------------|
| 8,000 or less | \$60.00 | \$15.00 |

| | | | |
|---|--|---------------------|--------------------|
| 1 | 8,001 to 24,000 | \$80.00 | \$20.00 |
| 2 | 24,001 to 44,000 | \$120.00 | \$30.00 |
| 3 | 44,001 or over | \$180.00 | \$45.00 |
| 4 | Combination wrecker vehicle | | |
| 5 | with GVWR of 24,000 or over | \$180.00 | \$45.00 |

- 6 4. a. Maximum hourly rates for extra labor shall be ~~Thirty~~
7 Dollars (\$30.00) per person per hour.
8 b. Maximum hourly rates for skilled or specialized labor
9 and/or equipment shall be the actual customary and
10 ordinary rates charged for such labor and/or
11 equipment. When skilled or specialized labor or
12 equipment is required, the wrecker operator's cost for
13 such skilled or specialized labor or equipment plus a
14 twenty-five percent (25%) gross profit markup to cover
15 overhead costs for such labor will be added to the
16 invoice or freight bill to be collected in addition to
17 all other applicable charges.

18 F. **Hookup Rates.**

19 1. Rates in this subsection shall apply to the hookup of a
20 vehicle to a wrecker vehicle when such hookup is performed in
21 connection with a wrecker or towing service described in this
22 section. Such hookup rate shall include the first fifteen (15)
23 minutes of such service, for which there shall be no additional fee
24 charged, but shall not include the use of a dolly or rollback

1 equipment or a combination wrecker vehicle to accomplish such
2 hookup, for which an additional fee may be charged as provided in
3 subsection G of this section. Hookup shall include, but not be
4 limited to, the attachment of a vehicle to or the loading of a
5 vehicle onto a wrecker vehicle.

6 2. Maximum hookup rates shall be as follows:

7 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 |

15 G. Additional Service Rates.

16 1. Rates in this subsection shall apply to the performance of
17 the following services:

- 18 a. the disconnection and reconnection of a towed
19 vehicle's drive line when necessary to prevent
20 mechanical damage to such vehicle,
21 b. the removal and replacement of a towed vehicle's axle
22 when necessary to prevent mechanical damage to such
23 vehicle, or

1 e. ~~the use of a dolly or rollback equipment when~~
2 ~~essential to prevent mechanical damage to a towed~~
3 ~~vehicle or when neither end of such vehicle is capable~~
4 ~~of being towed safely while in contact with the~~
5 ~~roadway.~~

6 2. Maximum additional service rates shall be as follows:

| Weight of Towed Vehicle (In pounds, including equipment and lading) | Service Performed Disconnect Drive Line; Remove Axle | Reconnect Drive Line; Replace Axle | Use of Dolly or Rollback Equipment |
|--|---|--|--|
| <hr/> | | | |
| 8,000 or less | \$10.00 | \$15.00 | \$25.00 |
| 8,001 to 12,000 | \$15.00 | \$20.00 | \$30.00 |
| <hr/> | | | |
| Rate Per 15 Minutes of Service Performed | | | |
| 12,001 or over | \$20.00 | \$20.00 | Not applicable |

16 H.

17 a. for vehicles weighing ten thousand (10,000) pounds or
18 less, the rate shall be one times the daily federal
19 per diem rate for each hour of service, with a two (2)
20 hour minimum. The rate per fifteen-minute increment
21 over the two-hour minimum shall be assessed at one-
22 quarter (1/4) the daily federal per diem rate. Winch
23 time shall be two times the daily federal per diem
24 rate for this weight class, and

1 b. for vehicles weighing ten thousand one (10,001) pounds
2 or more, the rate shall be two and one-half times the
3 daily federal per diem rate for each hour of service,
4 with a two (2) hour minimum. The rate per fifteen-
5 minute increment over the two-hour minimum shall be
6 assessed at one-half (1/2) the daily federal per diem
7 rate. Winch time shall be five times the daily
8 federal per diem rate for this weight class.

9 D. An operator shall be required to provide reasonable
10 documentation to substantiate all lawful fees charged the owner,
11 lienholder, agent or insurer paying the claim for the towed vehicle.
12 Fees for which the operator is being reimbursed or having paid to a
13 third party, shall include copies of the invoice or other
14 appropriate documents to substantiate such payment to said third
15 party.

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

1 J. E. When skilled or specialized labor or equipment is
2 required, the cost incurred by the wrecker operator for such skilled
3 or specialized labor or equipment plus an additional twenty-five
4 percent (25%) gross profit markup or gross profit margin shall be
5 allowed to cover overhead costs for such labor and will be added to
6 the invoice or freight bill to be collected in addition to all other
7 applicable charges. This applies to labor and equipment not
8 regulated by the Commission.

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

22 SECTION 3. AMENDATORY 47 O.S. 2021, Section 953.2, as
23 amended by Section 1, Chapter 316, O.S.L. 2023 (47 O.S. Supp. 2024,
24 Section 953.2), is amended to read as follows:

1 Section 953.2. A. The rates established ~~by order of the~~
2 ~~Corporation Commission~~ in this section shall determine the maximum
3 fees and charges for the storage and after-hours release of
4 nonconsensual towed vehicles, including incorporated and
5 unincorporated areas, by a wrecker or towing service licensed by the
6 Department of Public Safety and repair facilities as defined in
7 Section 953 of Title 15 of the Oklahoma Statutes. No wrecker or
8 towing service or repair facilities shall charge any fee for
9 nonconsensual towed vehicles and storage which exceeds the maximum
10 rates established by ~~the Commission~~ this section. Such rates shall
11 be in addition to any other rates, fees or charges authorized,
12 allowed or required by law, including environmental remediation fees
13 and services.

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

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

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

4 4. The operator or repair facility is authorized to collect all
5 lawful fees in acceptable forms of payment such as through check,
6 credit card, automated clearing house transfer, or debit card from
7 the owner, lienholder or agent of the towed vehicle or insurer
8 accepting liability for paying the claim for a vehicle or purchasing
9 the vehicle as a total loss vehicle from the registered owner for
10 the performance of any and all such services. An operator or repair
11 facility shall make the towed vehicle available for inspection by
12 the owner, lien holder, agent of the towed vehicle, or insurer
13 accepting liability for paying the claim for a vehicle and shall
14 release the vehicle from storage upon authorization from the owner,
15 agent or lienholder of the vehicle or in the case of a total loss,
16 the insurer accepting liability for paying the claim for the vehicle
17 or purchasing the vehicle where the vehicle is to be moved to an
18 insurance pool yard for sale.

19 C. ~~The rates in subsections D through F of this section shall~~
20 ~~be applicable until superseded by rates established by the~~
21 ~~Commission.~~

22 D. Outdoor Storage Rates.

23 1. Rates in this subsection shall apply to the outdoor storage
24 of a towed vehicle. Rates may be applied from the time the towed

1 vehicle is brought onto the outdoor storage facility premises.
2 Rates shall apply to each calendar day of outdoor storage; provided,
3 the maximum twenty-four-hour fee, as provided for in this section,
4 may be charged for any towed vehicle which is stored for a portion
5 of a twenty-four-hour period. The hourly rates established in this
6 subsection shall be calculated using the current daily federal per
7 diem rate established by the United States General Services
8 Administration (GSA). As used in this subsection, the daily federal
9 per diem rate shall include the rate for meals and lodging for the
10 locality in which the storage occurs. Rates shall be automatically
11 adjusted annually in accordance with the updated GSA per diem rates
12 for each locality.

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

| Type of Towed Vehicle | Rate per Each 24-hour Period or Portion Thereof |
|--|---|
| Single vehicle: motorcycle, automobile, or light truck up to 20 feet in length | \$15.00 |
| Single vehicle or combination of vehicles over 20 feet in length but less than 30 feet in length | \$20.00 |
| Single vehicle or combination of vehicles over 30 feet in length and up to 8 feet in width | \$25.00 |

Single vehicle or combination of vehicles

~~over 30 feet in length and over 8 feet~~

~~in width~~ \$35.00

E.

- a. for vehicles twenty (20) feet or less in length, one-third (1/3) the daily federal per diem rate, and
 - b. for vehicles twenty-one (21) feet or more in length, two-thirds (2/3) the daily federal per diem rate.

D. Indoor Storage Rates.

1. Rates in this subsection shall apply to the indoor storage

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

2. Maximum indoor storage rates shall be as follows:

Rate per Each

~~24-hour Period or~~

Type of Towed Vehicle Portion Thereof

~~Single vehicle: motorcycle, automobile,~~

~~Portion Thereof~~

or light truck up to 20 feet in length

or light truck up to 20 feet in length

~~\$25.00~~

| | |
|---|---------|
| Single vehicle or combination of vehicles over 20 feet in length but less than 30 feet in length | \$30.00 |
| Single vehicle or combination of vehicles over 30 feet in length and up to 8 feet in width | \$35.00 |
| Single vehicle or combination of vehicles over 30 feet in length and over 8 feet in width | \$45.00 |
| a. for vehicles twenty (20) feet or less in length, two- thirds (2/3) the daily federal per diem rate, and | |
| b. for vehicles twenty-one (21) feet or more in length, one times the daily federal per diem rate. | |

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

F. E. After-Hours Release Rate.

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

2. As used in this subsection:

a. "after-hours release rate" shall mean the rate charged for the release of a towed vehicle between the hours of midnight and 8:00 a.m., or between the hours of

1 4:00 p.m. and midnight Monday through Friday, or any
2 time on Saturday, Sunday or a national holiday, and
3 b. "national holiday" shall mean New Year's Day, Martin
4 Luther King Day, George Washington's Birthday, on the
5 third Monday in February, Memorial Day, Independence
6 Day, Labor Day, Veterans Day, Thanksgiving Day and
7 Christmas Day, and shall further include the Friday
8 before such national holiday which falls on a Saturday
9 and the Monday following such national holiday which
10 falls on a Sunday.

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

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

22 SECTION 4. AMENDATORY 47 O.S. 2021, Section 966, is
23 amended to read as follows:

1 Section 966. A. This act shall be known and may be cited as
2 the "Nonconsensual Towing Act of 2011".

3 B. The provisions of this act shall apply to every wrecker
4 operating within the State of Oklahoma removing and storing vehicles
5 from Oklahoma roads and highways or private property as a result of
6 a nonconsensual tow.

7 C. The Corporation Commission, by Commission order, shall have
8 the power and authority necessary:

9 1. To ~~establish~~ supervise and enforce wrecker rates established
10 by law for the transportation and storage of motor vehicles removed
11 due to a nonconsensual tow from Oklahoma roads and highways or
12 private property; and

13 2. ~~To supervise and enforce such rates; and~~

14 3. To mediate and adjudicate complaints that may arise from
15 charges assessed as a result of such vehicle removal.

16 D. ~~Rates as specified in Sections 953.1 and 953.2 of Title 47~~
17 ~~of the Oklahoma Statutes shall remain in effect until rates are~~
18 ~~established by order of the Commission.~~

19 E. ~~Rates established by the Commission shall be fair and~~
20 ~~reasonable.~~

21 F. The Commission may assess fines or other penalties to any
22 wrecker or towing service for failure to comply with prescribed
23 rates as established by ~~the Commission law~~, failure to pay a levied
24 assessment or comply with any applicable order of the Commission.

1 Repeat violations by a wrecker or towing service are cause for
2 revocation of its license issued by the Department of Public Safety.

3 G. E. The Department shall cooperate with the Commission to
4 implement this act and may enter into agreements to facilitate this
5 act.

6 SECTION 5. This act shall become effective November 1, 2025.
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8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended and Coauthored.
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