

Towing Fees and Access Notice

BAR Guidance Regarding Recently Passed Legislation

The Bureau of Automotive Repair (BAR) has received numerous inquiries from the industry regarding how to comply with the provisions of Assembly Bill (AB) 519 (Solorio, Chapter 566, Statutes of 2010). The provisions of this bill will take effect January 1, 2011. This document shall serve as guidance to Automotive Repair Dealers (ARD) on how to comply with the bill's provisions.

Bill Requirements:

AB 519 requires a person that charges for towing a vehicle and/or storing a vehicle as related to a tow, to post a Towing Fee and Access Notice that provides customers knowledge of their rights and responsibilities as related to the tow and/or storage. Additionally, it requires the tow and/or storage company to comply with specific requirements regarding their hours of operation, customer payment information and invoice requirements.

Impact on ARD's:

ARD's that pay a towing company directly for a customer's tow, and in turn charge the customer for reimbursement, must provide the customer either the tower's unaltered invoice or a verbatim copy of the invoice, which may be printed on their own letterhead. Additionally, an ARD charging a customer for a tow must make available copies of the Towing Fee and Access Notice upon request. As required AB 519, the Towing Fee and Access Notice must be a standardized document printed in 10-point font or larger. AB 519 specifically exempts ARD's from the requirement to post a copy of the Towing Fee and Access Notice.

ARD's that do not charge for towing a vehicle and/or storing a vehicle as related to the tow are exempt from all of the bill's provisions.

Enforcement:

An ARD may be held civilly liable up to \$500 per vehicle for violations of Section 22651.07 of the Vehicle Code. BAR does not have jurisdiction to discipline an ARD violating this section of law.