

Towing Legislation Summary

- Specifies that a tow truck operator cannot remove a vehicle from a private parking lot without authorization from the owner of the private parking lot. The bill would also increase the penalty for a violation of this provision from a minor misdemeanor to a misdemeanor of the first degree.
- Provides a municipal corporation, county or township authority to regulate the operation of tow truck operators in their jurisdiction as long as their local regulations do not conflict with any state laws or PUCO regulations.
- Specifies that no person shall engage in the business of towing motor vehicles without first obtaining a towing company license from the Public Utilities Commission of Ohio (PUCO). The bill would also provide that any tow truck operator applicant cannot have been convicted of fraud or had a civil judgment rendered against them for fraud.
- The application fee for a towing certificate would be based on the certificate holder's gross revenue in the prior year, for the intrastate towing of motor vehicles.
- Requires all tow truck operators to provide all customers with information written in plain and clear language pursuant to a form prescribed by the PUCO outlining a customer's rights.
- Requires all tow truck operators to file with the PUCO on an annual basis a tariff disclosing all fees and charges levied by the tow truck operator or storage facility.
- Prohibits a tow truck operator from attempting to provide any towing services unless the towing vehicle possesses at least the minimum capacity needed to perform safely the towing service.
- Prohibits wheel-lift or roll-back towing service unless a law enforcement officer requests such service or a national recognized industry publication or manufacturer has specified that such service is necessary for the proper towing of the vehicle.
- Requires tow truck operators to provide customers with an itemized invoice detailing all charges and fees for towing service and storage.
- Requires the PUCO to adopt administrative rules to provide:
 - Disclosure of rates and charges for service;
 - Minimum content of invoices;
 - Required safety equipment for towing vehicles;
 - Permissible forms of payment for services;
 - Requirements for hours of operation during weekdays and weekends that specify at a minimum the hours during which an owner or operator may reclaim a towed or stored vehicle;
 - Requirement for access to a towed or stored vehicle by an owner or operator to enable the person to retrieve personal property;
 - Uniform standards and guidelines by which a person may evidence proof of ownership or right to possession of a motor vehicle that has been towed or stored;
 - Minimum levels of liability and cargo insurance;
 - Suspension and revocation procedures;
 - Any other provisions the PUCO determines are necessary and proper to carry out the regulation of tow truck operators.