

Understanding New Tow Truck Regulations, and What it Means for Auto Shops

Last year, Governor Brown signed into law Assembly Bill 1222, which created new tow truck regulations in an effort to curb “bandit towing,” a term used to describe instances in which cars are towed without the owner’s consent. Most often a result of unauthorized parking, owners are left wondering where their car went, and end up saddled with thousands of dollars in towing and storage fees.

The law, authored by Assemblymember Richard Bloom (D-Santa Monica) went into effect on January 1, and is separated into two distinct parts—one which affects tow truck companies, and the other which affects auto repair shops. Here is what you need to know.

The first part of the law imposes new, burdensome regulations on tow trucks, including the requirements to obtain detailed information when picking up a vehicle, including a written estimate of all charges and services to be performed and identification of responding officers.

The second part of AB 1222, which directly affects auto repair shops, mandates that upon receiving a vehicle, except when towed by the Motor Club, CHP, or police, the business must obtain the name, address, and telephone number of the towing company, the name and driver’s license number of the tow truck operator, the make, model, and license plate or VIN number, and the date and time that possession was taken of the vehicle. If the vehicle was dropped off after hours, the business must obtain the information the next day—NO EXCEPTIONS.

Additionally, each business is required to keep records of every drop off for three years, or suffer a fine, imprisonment, or both.

The legislation, however, has been the source of significant frustration and confusion for repair shops, primarily because shops are required to record and store this information, regardless of whether or not the tow was consensual. It doesn’t make much sense that a customer would complain to authorities that their car was taken without permission, if in fact the owner did authorize the tow for repairs.

To address these concerns, the ASCCA Government Relations Committee is working diligently to change/clarify this new law so that repair shops are not required to record this information when the owner authorized the tow. The committee has contacted both Assemblymember Bloom and the sponsor of the bill, the Los Angeles City Attorney, requesting that the law be clarified and amended. The committee is also working with the California Towing Association, Cal-ABC, New Car Dealers Association, California Autobody Association, and other stakeholders to address these issues.

We also encourage individual members to contact Assemblymember Bloom’s Sacramento office at (916) 319-2050 and ask that he please work with the auto repair industry to clarify Assembly Bill 1222.

In the meantime, we have attached a sample form for towed vehicle acceptance for your convenience. ASCCA will keep you updated on this issue, and if you have any questions, contact Jeff Molodanof or the Chair of ASCCA Government Relations, Tracy Renee.

SHOP NAME _____

TOWED VEHICLE ACCEPTANCE*

Customer Name _____

Customer Address _____

Customer Phone Number _____

Vehicle Make _____

Vehicle model _____

Vehicle license Number _____

V.I.N. _____

Date vehicle delivered to Repair Shop _____

Time vehicle delivered to Repair Shop _____

Name of Tow Company _____

Address of towing company _____

City _____ State _____ ZIP _____

Telephone number of towing company _____

Tow truck operator name _____

Tow truck operator driver license # _____

*Required by California Vehicle Code Section 22513.1