

Senate Bill 388

Sponsored by Senator GORDLY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires drivers, operators and controllers of tow vehicles to post towing rates on vehicles.

A BILL FOR AN ACT

Relating to tow vehicles; creating new provisions; and amending ORS 822.215.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2007 Act is added to and made a part of the Oregon Vehicle Code.

SECTION 2. (1) All persons driving, operating or controlling a tow vehicle shall post a clear and complete summary of the rate schedule in a conspicuous place where it may be read from the outside of the tow vehicle. The rates posted shall be printed in plain, legible type.

(2) A person may not charge, or cause or allow any person to charge, any rate other than the applicable rate posted on the tow vehicle.

SECTION 3. ORS 822.215 is amended to read:

822.215. The Department of Transportation may deny or refuse to issue any towing business certificate under ORS 822.205 or may suspend, revoke or refuse to renew any towing business certificate issued upon proof that the applicant for or holder of the certificate has done any of the following:

(1) Used fraud or deception in securing the certificate.

(2) Received in any manner or by any device any rebate or other additional fee for towing or recovery from a person who performs repairs on a vehicle who does not also own the vehicle. This subsection does not prohibit the payment of the towing fee by a person who performs repairs on a vehicle if the fee is included in the charges by that person for repairs on the vehicle.

(3) *[Uses]* **Used** vehicles for the purposes of towing or recovering services that do not meet the minimum safety standards established by the department.

(4) *[Fails]* **Failed** to display **rates**, special towing business registration plates, stickers or indicia or identification devices for proportionally registered tow vehicles authorized under ORS 805.200 on each vehicle used to tow or recover vehicles.

(5) *[Fails]* **Failed** to maintain the amounts and types of insurance required to qualify for issuance of a towing business certificate under ORS 822.205.

(6) *[Fails]* **Failed** to obtain any permits or authority required under any provision of ORS chapter 825 or rules adopted thereunder.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.