



General Assembly

February Session, 2010

Raised Bill No. 5459

LCO No. 1984

01984_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT CONCERNING WRECKERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-66 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) (1) No person, firm or corporation shall engage in the business of
4 operating a wrecker for the purpose of towing or transporting [for
5 compensation] motor vehicles, including motor vehicles which are
6 disabled, inoperative or wrecked or are being removed in accordance
7 with the provisions of section 14-145, 14-150 or 14-307, unless such
8 person, firm or corporation is a motor vehicle dealer or repairer
9 licensed under the provisions of subpart (D) of [this] part III of chapter
10 246. (2) The commissioner shall establish and publish a schedule of
11 uniform rates and charges for the nonconsensual towing and
12 transporting of motor vehicles and for the storage of motor vehicles
13 which shall be just and reasonable. Upon petition of any person, firm
14 or corporation licensed in accordance with the provisions of this
15 section, but not more frequently than once every two years, the
16 commissioner shall reconsider the established rates and charges and

17 shall amend such rates and charges if the commissioner, after
18 consideration of the factors stated in this subdivision, determines that
19 such rates and charges are no longer just and reasonable. In
20 establishing and amending such rates and charges, the commissioner
21 may consider factors, including, but not limited to, the Consumer Price
22 Index, rates set by other jurisdictions, charges for towing and
23 transporting services provided pursuant to a contract with an
24 automobile club or automobile association licensed under the
25 provisions of section 14-67 and rates published in standard service
26 manuals. The commissioner shall hold a public hearing for the purpose
27 of obtaining additional information concerning such rates and charges.
28 (3) With respect to the nonconsensual towing or transporting and the
29 storage of motor vehicles, no such person, firm or corporation shall
30 charge more than the rates and charges published by the
31 commissioner. Any person aggrieved by any action of the
32 commissioner under the provisions of this section may take an appeal
33 therefrom in accordance with section 4-183, except venue for such
34 appeal shall be in the judicial district of New Britain.

35 (b) The commissioner, [by himself] or an inspector authorized by
36 [such] the commissioner, shall examine each wrecker, including its
37 number, equipment and identification, and [ascertain] shall determine
38 the mechanical condition of such wrecker and [ascertain] whether or
39 not it is properly equipped to do the work intended. [Such] A wrecker
40 shall be deemed properly equipped if [it has installed thereon] there
41 are two flashing yellow lights [so] installed and mounted on [the
42 vehicle as to] such wrecker that (1) show in all directions at all times,
43 and [which shall] (2) indicate the full width of [said vehicle] such
44 wrecker. Such lights shall be mounted not less than eight feet above
45 the road surface and as [near] close to the back of the cab of such
46 [vehicle] wrecker as practicable. Such lights shall be in operation
47 [whenever] when such wrecker is towing a disabled vehicle [is being
48 towed by such wrecker] and when such wrecker is at the scene of an
49 accident or the location of a disabled motor vehicle. In addition,
50 [thereto] each wrecker shall be equipped with a spot light [so]

51 mounted so that [the] its beam of light [can be shown in all directions]
52 is directed toward the hoisting equipment in the rear of such wrecker.
53 The hoisting equipment of each wrecker shall be of sufficient capacity
54 to perform the service intended and shall be securely mounted to the
55 frame of such vehicle. A fire extinguisher shall be carried at all times
56 on each wrecker which shall be in proper working condition, mounted
57 in a permanent bracket on each wrecker and have a minimum rating of
58 eight bc. A set of three flares in operating condition shall be carried at
59 all times on each wrecker and shall be used between the periods of
60 one-half hour after sunset and one-half hour before sunrise when the
61 wrecker is parked on a highway while making emergency repairs or
62 preparing to pick up a disabled vehicle to remove it from a highway or
63 adjoining property. No registrant or operator of any wrecker shall offer
64 to give any gratuities or inducements of any kind to any police officer
65 or other person in order to obtain towing business or
66 recommendations for towing or storage of, or estimating repairs to,
67 disabled vehicles. No licensee shall require the owner to sign a contract
68 for the repair of [his] such owner's damaged vehicle as part of the
69 towing consideration or to sign an order for the repair of, or
70 authorization for estimate until the tow job has been completed. No
71 licensee shall tow a vehicle in such a negligent manner as to cause
72 further damage to the vehicle being towed.

73 (c) Each wrecker used for towing or transporting [disabled or
74 wrecked] motor vehicles [for compensation] shall be registered as a
75 wrecker by the commissioner for a fee of one hundred twenty-five
76 dollars. Each such registration shall be renewed biennially according to
77 renewal schedules established by the commissioner so as to effect
78 staggered renewal of all such registrations. If the adoption of a
79 staggered system results in the expiration of any registration more or
80 less than two years from its issuance, the commissioner may charge a
81 prorated amount for such registration fee.

82 (d) An owner of a wrecker may apply to the commissioner for a
83 general distinguishing number and number plate for the purpose of

84 displaying such number plate on a motor vehicle temporarily in the
85 custody of such owner and being towed or transported by such owner.
86 The commissioner shall issue such number and number plate to an
87 owner of a wrecker (1) who has complied with the requirements of this
88 section, and (2) whose wrecker is equipped in accordance with
89 subsection (b) of this section. The commissioner shall charge a fee to
90 cover the cost of issuance and renewal of such number plates.

91 (e) With respect to the nonconsensual towing or transporting of a
92 motor vehicle, no licensee may tow or transport a vehicle to the
93 premises of any person, firm or corporation engaged in the storage of
94 vehicles for compensation unless such person, firm or corporation
95 adheres to the storage charges published by the commissioner.

96 (f) The provisions of this section shall not apply to any person, firm
97 or corporation, licensed as a motor vehicle dealer under the provisions
98 of subpart (D) of this part, towing or transporting a motor vehicle for
99 salvage purposes, provided such person, firm or corporation does not
100 offer direct towing or wrecker service to the public.

101 (g) For the purposes of this section, "nonconsensual towing or
102 transporting" means the towing or transporting of a motor vehicle in
103 accordance with the provisions of section 14-145 or for which
104 arrangements are made by order of a law enforcement officer or traffic
105 authority, as defined in section 14-297.

106 (h) Any motor vehicle that (1) has been towed or transported by a
107 licensee to the premises of any person, firm or corporation engaged in
108 the storage of vehicles for compensation, and (2) is wrecked, disabled
109 or inoperable, shall incur a fee, not to exceed fifty dollars, for the
110 lifting, transporting or towing of such vehicle from such premises.

111 Sec. 2. Section 14-66c of the 2010 supplement to the general statutes
112 is repealed and the following is substituted in lieu thereof (*Effective*
113 *October 1, 2010*):

114 (a) As used in this section, "motorized personal property" includes
115 mini-motorcycles, dirt bikes, snowmobiles, or other types of motorized
116 personal property.

117 (b) If any motorized personal property is towed or otherwise
118 removed by a wrecker licensed under section 14-66, as amended by
119 this act, at the direction of an officer attached to an organized police
120 department or an owner of real property where such personal
121 property has been abandoned, such property shall be taken to and
122 stored in a suitable place. Within forty-eight hours following the time
123 that such property is taken into custody, the licensee or operator of the
124 wrecker shall give written notice by certified mail to the owner, if
125 known (1) that such property has been taken and stored, and (2) the
126 location of such property. Such licensee or operator shall have a lien
127 upon the same for towing or removal charges and storage charges. If
128 such owner does not claim such property, or if the owner of such
129 property is not known, the licensee or operator of the wrecker may sell
130 or dispose of such property after thirty days, subject to any provision
131 of the general statutes, or any regulation adopted thereunder,
132 concerning the sale or disposal of such property.

133 (c) Any person who violates any provision of this section shall, for a
134 first offense, be deemed to have committed an infraction and be fined
135 not less than thirty-five dollars nor more than fifty dollars, and, for
136 each subsequent offense, shall be fined not less than fifty dollars nor
137 more than one hundred dollars or imprisoned not more than thirty
138 days or be both fined and imprisoned.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	14-66
Sec. 2	<i>October 1, 2010</i>	14-66c

Statement of Purpose:

To change the requirements for lights installed on wreckers, to remove references to "disabled or wrecked vehicle" being towed or transported

"for compensation" and to establish a fee for moving wrecked, disabled or inoperable vehicles out of storage premises.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]