



General Assembly

February Session, 2020

Raised Bill No. 5193

LCO No. 1230



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

***AN ACT CONCERNING THE NONCONSENSUAL TOWING OR
TRANSPORTING OF MOTOR VEHICLES.***

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

1 Section 1. Subsection (a) of section 14-66 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2020*):

4 (a) (1) No person, firm or corporation shall engage in the business of
5 operating a wrecker for the purpose of towing or transporting motor
6 vehicles, including motor vehicles which are disabled, inoperative or
7 wrecked or are being removed in accordance with the provisions of
8 section 14-145, 14-150 or 14-307, unless such person, firm or corporation
9 is a motor vehicle dealer or repairer licensed under the provisions of
10 subpart (D) of this part. (2) The commissioner shall establish and
11 publish a schedule of uniform rates and charges for the nonconsensual
12 towing [and] or transporting of motor vehicles and for the storage of
13 motor vehicles which shall be just and reasonable. Upon petition of any
14 person, firm or corporation licensed in accordance with the provisions
15 of this 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 establishing
20 and amending such rates and charges, the commissioner may consider
21 factors, including, but not limited to, the Consumer Price Index, rates
22 set by other jurisdictions, [charges for towing and transporting services
23 provided pursuant to a contract with an automobile club or automobile
24 association licensed under the provisions of section 14-67 and rates
25 published in standard service manuals] and the costs incurred by such
26 person, firm or corporation to perform towing or transporting services
27 and provide storage, including, the cost of equipment, insurance and
28 other reasonable business expenses. The commissioner shall hold a
29 public hearing for the purpose of obtaining additional information
30 concerning such rates and charges. (3) Such person, firm or corporation
31 may assess a surcharge in the amount of ten dollars on each
32 nonconsensual towing or transporting of a motor vehicle, but shall not
33 assess the surcharge on a motor vehicle that was towed or transported
34 during an attack, major disaster, emergency or disaster emergency, as
35 those terms are defined in section 28-1, or snow removal by the state or
36 municipality. (4) With respect to the nonconsensual towing or
37 transporting and the storage of motor vehicles, no such person, firm or
38 corporation shall charge more than the rates and charges published by
39 the commissioner. Any person aggrieved by any action of the
40 commissioner under the provisions of this section may take an appeal
41 therefrom in accordance with section 4-183, except venue for such
42 appeal shall be in the judicial district of New Britain.

43 Sec. 2. Section 14-66b of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2020*):

45 Each owner of a wrecker registered pursuant to subsection (c) of
46 section 14-66 shall keep and maintain a record stating the following
47 information: (1) The registration number of each motor vehicle towed or
48 transported and the registration number of each wrecker used to tow or
49 transport such motor vehicle; (2) the date and time [the] such tow

50 commenced and was completed; (3) the location from which the
51 disabled motor vehicle was towed and the destination of such tow; (4)
52 the mileage of the wrecker at the commencement and completion of
53 [the] such tow; (5) the charge for tow service and any other charges
54 incurred for services related to such tow; (6) whether the wrecker
55 assessed the authorized surcharge on such tow; (7) the name and
56 address of the person requesting tow service; and [(7)] (8) any other
57 information the commissioner deems necessary, as specified in
58 regulations adopted in accordance with the provisions of chapter 54.
59 Such records shall be retained at the place of business of the wrecker
60 service for a period of two years and shall be available for inspection
61 during regular business hours by any law enforcement officer or
62 inspector designated by the Commissioner of Motor Vehicles. Each
63 owner of a wrecker shall also keep and maintain copies of any written
64 contracts with owners or lessees of property authorizing the towing or
65 removal of motor vehicles from the property of such owner or lessee, or
66 with lending institutions repossessing any motor vehicles, as provided
67 in section 14-145, and such contracts shall be available for inspection by
68 motor vehicle owners, agents of the owners, or lending institutions,
69 upon request. The Commissioner of Motor Vehicles may permit any
70 licensed motor vehicle dealer or repairer who operates a wrecker service
71 to maintain, in an electronic format prescribed by the commissioner, all
72 records, documents and forms required by the Department of Motor
73 Vehicles. Such records, documents and forms shall be produced in
74 written format, upon request by the department, during the licensee's
75 business hours on the same day of such request. Any person who
76 violates any provision of this section shall be deemed to have committed
77 an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	14-66(a)
Sec. 2	<i>October 1, 2020</i>	14-66b

Statement of Purpose:

To permit a wrecker to assess a surcharge of ten dollars for the nonconsensual towing or transporting of a motor vehicle.

[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.]