

HCS HB 1111 -- ABANDONED TOWED VEHICLES

SPONSOR: Franz (Gosen)

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 11 to 0.

This substitute allows towed abandoned property to be released to the owner's designated representative. Currently, it can only be released to the owner or to the holder of a valid security interest of record.

Any nonvehicular personal property within the abandoned property must be released to the owner or his authorized representative regardless of payment arrangements. The company holding or storing the abandoned property must allow the owner or the owner's authorized representative to inspect the property and must provide an itemized written receipt for the contents within 10 days of receiving the vehicle.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that issues have arisen because towing companies refuse to release personal property located within a person's towed vehicle after an accident until someone accepts liability and pays the towing and storage bill. At times, this can be days or even weeks. The bill requires non-automotive items, including a person's personal items and work or trade supplies, to be released upon request.

Testifying for the bill were Representative Gosen; and Missouri Insurance Coalition.

OPPOSERS: Those who oppose the bill say that there are concerns with people who only have liability insurance coverage. People and insurance companies are choosing to leave their cars at these towing companies and never retrieve them, leaving the towing and storage bill unpaid. The bill allows a person to remove all of his or her items from the vehicle and leave the vehicle with the towing company without paying any of the bill. Currently, there are safeguards in place for consumers to allow access to prescription medications, to visually inspect the motor vehicle, and to obtain an itemized list of items.

Testifying against the bill were Towing and Recovery Association of Missouri; Jared Innis, Missouri Tow Truck Association; and Mike Bolin.