

## SCS HCS HB 1976 -- MOTOR VEHICLE SERVICES

(Vetoed by Governor)

### AUTOCYCLES (Section 304.005, RSMo)

This bill allows a licensed person to operate an autocycle on highways and streets without a helmet as long as it is equipped with a roof which meets established standards for protective headgear. The bill further clarifies that autocycles are motor vehicles, not motorcycles.

### TOWING COMPANY REGULATIONS (Sections 304.153-304.154)

This bill establishes several new regulations concerning the State Highway Patrol and tow truck companies.

In authorizing a towing company to perform services, a patrol officer may utilize the services of a tow management company or tow list. The State Highway Patrol is under no obligation to include or retain the services of any towing company in any contract or agreement with a tow management company or any tow list. A towing company is subject to removal from a tow list at any time. A patrol officer shall not use a towing company located outside of Missouri, except under specific circumstances. A tow truck arriving at the scene of an accident that has not been called by a patrol officer, a law enforcement officer, or the driver or owner of the vehicle or his or her authorized agent or motor club, shall be prohibited from towing the vehicle from the scene, unless the tow truck operator is rendering emergency aid in the interest of public safety, or operating during a declared state of emergency. A tow truck operator convicted of, or pleading guilty to, violating this provision is guilty of a class D misdemeanor for the first violation, with the tow truck subject to impounding. A second violation shall be a class A misdemeanor and the third and any subsequent offense, a class D felony. These provisions do not apply to third or fourth class counties.

A tow truck company must display their business address at their location and in such a way that it is visible from the street or road. The lot must be open for a minimum of 10 hours per day, Monday through Friday, 52 weeks per year, excluding federal holidays, for customers to view or retrieve vehicles. Customers cannot be charged additional fees to view or retrieve their vehicles or to view or retrieve items from a vehicle during these regular business hours. Having towed a vehicle, the towing company cannot remove said vehicle from the State of Missouri unless authorized to do so by the vehicle owner or his or her agent. When a motor vehicle has been transferred to a towing company's storage

lot or vehicle storage facility, such vehicle shall not be transferred without providing the owner 24 hours advanced notice, including the address where the vehicle is being transferred and all costs associated with moving the vehicle.

Unless notified by a law enforcement agency that a motor vehicle is being preserved as evidence, a storage lot facility or towing company shall allow insurance adjusters access to and allow inspection of a motor vehicle.

These provisions do not apply to third or fourth class counties.

#### SERVICE CONTRACTS (Sections 385.200-385.306)

This bill expands the definition of "motor vehicle extended service contract" to include a contract or agreement for a repair of certain road hazard damages, replacement of a vehicle key or key fob when inoperable, stolen or lost, or other services approved by the Director of the Department of Insurance, Financial Institutions and Professional Registration.

The bill also specifies that a refund of the service contract after the required free look period may be through a service contract provider or its specified designee.