

HCS HB 745 -- TOWING OF COMMERCIAL VEHICLES

SPONSOR: Griffith

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 11 to 0, with 1 voting present. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 8 to 1.

This bill requires the Department of Transportation to establish procedures to address certain nonconsensual towing practices related to the removal of commercial vehicles from roadways, a complaint filing and adjudication process, and provisions for permanently or temporarily prohibiting towing companies from performing nonconsensual tows if they violate the provisions of the bill.

The department may establish a "Towing and Recovery Review Board" to assist in implementing the provisions of the bill, with membership and functions as specified. The bill also specifies that the Department or the Board can decide if a vehicle is released when the fees are disputed, prohibits per pound charges for nonconsensual tows, provides that storage charges cease accruing upon the date a complaint is filed with the Department, and prohibits nonconsensual tows from creating liens on commercial vehicles or cargo.

If an owner or operator of a commercial vehicle requests the use of a specific towing company, law enforcement agencies must honor that request, except under certain conditions.

Towing companies must provide reasonable access to commercial vehicles that are the subject of a nonconsensual tow, for purposes specified in the bill. A towing company performing a nonconsensual tow when prohibited from doing so by the Department will be subject to a civil penalty of \$25,000 per violation.

This bill is similar to SB 516 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that something needs to be done about the towing costs paid by independent truckers for nonconsensual tows. There's no recourse for the incredibly high cost of getting assistance from the towing companies. Independent truckers buy towing insurance and if they aren't covered enough, they pay out of pocket when the State Highway Patrol or responding agency calls to

have a towing company clear the highway after a truck is involved in a collision or tip-over or goes off the road. The independent truckers can easily be bankrupted by an accident on the road and there are some bad actors taking advantage of the truckers. Sometimes, costs are exacerbated because towing companies don't know what will be necessary at the scene when they are contacted. However, other times, costs are driven up by excessive hourly rates, unwarranted additional equipment, and price gouging. Guardrails are necessary.

Testifying in person for the bill were Representative Griffith; National Insurance Crime Bureau (NICB); Missouri Trucking Association; William Lewis Push, Owner Operator Independent Drivers Association; Steve Ryun, Commercial Truck Claims Management; Mike Matousek, American Trucking Associations; Missouri Insurance Coalition.

OPPONENTS: Those who oppose the bill say that it is unnecessary. It is hard to fill vacancies on boards and commissions. Some haven't met in years. This is an added layer of responsibility for new appointments when there's a commission in place that could cover this already. A bidding process for which towing company should be called is a more effective solution and has seen success in St. Charles and O'Fallon.

Testifying in person against the bill was Arnie Dienoff.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.