

2009 SESSION

INTRODUCED

093558284

SENATE BILL NO. 1404

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend and reenact §§ 46.2-2809 and 46.2-2826 of the Code of Virginia, relating to regulations of the Board for Towing and Recovery Operators applicable to public safety towing and recovery services.

Patrons—Norment, Blevins and Deeds

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-2809 and 46.2-2826 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-2809. Regulations.

The Board may promulgate regulations requiring persons licensed under this chapter to keep and maintain records reasonably required for the enforcement of provisions of this chapter, and any other regulations, not inconsistent with the provisions of this chapter, as it shall consider necessary for the effective administration and enforcement of this chapter. A copy of any regulation promulgated under this section shall be mailed to each licensee 30 days prior to its effective date. No regulation of the Board pertaining to public safety towing and recovery services, as provided in § 46.2-2826, shall become effective prior to July 1, 2010.

§ 46.2-2826. Public safety towing and recovery services; separate regulatory scheme not permitted.

The Board shall *not* establish any regulations required of Class A and or Class B operators to provide public safety towing and recovery services. For the purposes of this section, "public safety towing and recovery services" shall be those towing and recovery and related services requested by a state or local law-enforcement agency. Such regulations shall establish minimum requirements, including qualifications, standards, necessary equipment, and public safety concerns necessary and appropriate to permit a Class A or Class B operator to provide public safety towing and recovery services. No operator shall provide public safety towing and recovery services unless they meet such criteria established by Board regulation applicable to public safety towing and recovery services. Upon submitting evidence to the Board of meeting such criteria, the Board shall maintain, on a timely basis, a list to be readily available to state and local law-enforcement agencies of Class A and Class B operators who meet the Board's criteria for providing public safety towing and recovery services.

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