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HOUSE BILL NO. 1511

Offered January 8, 2020

A BILL to amend and reenact §§ 46.2-1233 and 46.2-1233.1 of the Code of Virginia, relating to towing fees.

Patron—McQuinn

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1233 and 46.2-1233.1 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1233. Localities may regulate towing fees.

The governing body of any locality may by ordinance set reasonable limits on fees charged for the removal of motor vehicles, trailers, and parts thereof left on private property in violation of § 46.2-1231, and for the removal of trespassing vehicles under § 46.2-1215, taking into consideration the fair market value of such removal.

Localities in Planning District 8 and Planning District 16 shall establish by ordinance (i) a hookup and initial towing fee of no less than $135 and no more than the maximum charges provided in § 46.2-1233.1 and (ii) for towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional fee of *no less than* $25 *and no more than the maximum charges provided in § 46.2-1233.1* per instance; however, such ordinance shall also provide that in no event shall more than two such additional fees be charged for towing any vehicle.

§ 46.2-1233.1. Limitation on charges for towing and storage of certain vehicles.

A. Unless different limits are established by ordinance of the local governing body pursuant to § 46.2-1233, as to vehicles towed or removed from private property, no charges imposed for the towing, storage, and safekeeping of any passenger car removed, towed, or stored without the consent of its owner shall be in excess of the maximum charges provided for in this section. No hookup and initial towing fee of any passenger car shall exceed $150. For towing a vehicle between ~~seven~~ ~~o'clock~~ *7:00* p.m. and ~~eight~~ ~~o'clock~~ *8:00* a.m. or on any Saturday, Sunday, or holiday, an additional fee of no more than ~~$25~~ *$30* per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less. Except for fees or charges imposed by this section or a local ordinance adopted pursuant to § 46.2-1233, no other fees or charges shall be imposed during the first 24-hour period.

B. The governing body of any county, city, or town may by ordinance, with the advice of an advisory board established pursuant to § 46.2-1233.2, (i) provide that no towing and recovery business having custody of a vehicle towed without the consent of its owner impose storage charges for that vehicle for any period during which the owner of the vehicle was prevented from recovering the vehicle because the towing and recovery business was closed and (ii) place limits on the amount of fees charged by towing and recovery operators. Any such ordinance limiting fees shall also provide for periodic review of and timely adjustment of such limitations.