



General Assembly

January Session, 2019

Raised Bill No. 866

LCO No. 4244



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

***AN ACT CONCERNING THE NONCONSENSUAL TOWING OR
TRANSPORTING OF MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-66 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (a) (1) No person, firm or corporation shall engage in the business of
5 operating a wrecker for the purpose of towing or transporting motor
6 vehicles, including motor vehicles which are disabled, inoperative or
7 wrecked or are being removed in accordance with the provisions of
8 section 14-145, 14-150 or 14-307, unless such person, firm or
9 corporation is a motor vehicle dealer or repairer licensed under the
10 provisions of subpart (D) of this part. (2) The commissioner shall
11 establish and publish a schedule of uniform rates and charges for the
12 nonconsensual towing [and] or transporting of motor vehicles and for
13 the storage of motor vehicles which shall be just and reasonable. Upon
14 petition of any person, firm or corporation licensed in accordance with
15 the provisions of this section, but not more frequently than once every

16 two years, the commissioner shall reconsider the established rates and
 17 charges and shall amend such rates and charges if the commissioner,
 18 after consideration of the factors stated in this subdivision, determines
 19 that such rates and charges are no longer just and reasonable. In
 20 establishing and amending such rates and charges, the commissioner
 21 may consider factors, including, but not limited to, the Consumer Price
 22 Index, rates set by other jurisdictions, [charges for towing and
 23 transporting services provided pursuant to a contract with an
 24 automobile club or automobile association licensed under the
 25 provisions of section 14-67 and rates published in standard service
 26 manuals] and the costs incurred by such person, firm or corporation to
 27 perform towing or transporting services and provide storage,
 28 including, the cost of equipment, insurance and other reasonable
 29 business expenses. The commissioner shall hold a public hearing for
 30 the purpose of obtaining additional information concerning such rates
 31 and charges. (3) Such person, firm or corporation may assess a
 32 surcharge in the amount of ten dollars on each nonconsensual towing
 33 or transporting of a motor vehicle, but shall not assess the surcharge
 34 on a motor vehicle that was towed or transported during an attack,
 35 major disaster, emergency or disaster emergency, as those terms are
 36 defined in section 28-1, or snow removal by the state or municipality.
 37 (4) With respect to the nonconsensual towing or transporting and the
 38 storage of motor vehicles, no such person, firm or corporation shall
 39 charge more than the rates and charges published by the commissioner
 40 and the authorized surcharge. Any person aggrieved by any action of
 41 the commissioner under the provisions of this section may take an
 42 appeal therefrom in accordance with section 4-183, except venue for
 43 such appeal shall be in the judicial district of New Britain.

44 Sec. 2. Section 14-66b of the general statutes is repealed and the
 45 following is substituted in lieu thereof (*Effective October 1, 2019*):

46 Each owner of a wrecker registered pursuant to subsection (c) of
 47 section 14-66 shall keep and maintain a record stating the following
 48 information: (1) The registration number of each motor vehicle towed
 49 or transported and the registration number of each wrecker used to

50 tow or transport such motor vehicle; (2) the date and time [the] such
 51 tow commenced and was completed; (3) the location from which the
 52 disabled motor vehicle was towed and the destination of such tow; (4)
 53 the mileage of the wrecker at the commencement and completion of
 54 [the] such tow; (5) the charge for tow service and any other charges
 55 incurred for services related to such tow; (6) whether the wrecker
 56 assessed the authorized surcharge on such tow; (7) the name and
 57 address of the person requesting tow service; and [(7)] (8) any other
 58 information the commissioner deems necessary [,] as specified in
 59 regulations adopted in accordance with the provisions of chapter 54.
 60 Such records shall be retained at the place of business of the wrecker
 61 service for a period of two years and shall be available for inspection
 62 during regular business hours by any law enforcement officer or
 63 inspector designated by the Commissioner of Motor Vehicles. Each
 64 owner of a wrecker shall also keep and maintain copies of any written
 65 contracts with owners or lessees of property authorizing the towing or
 66 removal of motor vehicles from the property of such owner or lessee,
 67 or with lending institutions repossessing any motor vehicles, as
 68 provided in section 14-145, and such contracts shall be available for
 69 inspection by motor vehicle owners, agents of the owners, or lending
 70 institutions, upon request. The Commissioner of Motor Vehicles may
 71 permit any licensed motor vehicle dealer or repairer who operates a
 72 wrecker service to maintain, in an electronic format prescribed by the
 73 commissioner, all records, documents and forms required by the
 74 Department of Motor Vehicles. Such records, documents and forms
 75 shall be produced in written format, upon request by the department,
 76 during the licensee's business hours on the same day of such request.
 77 Any person who violates any provision of this section shall be deemed
 78 to have committed an infraction.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2019</i>	14-66(a)
Sec. 2	<i>October 1, 2019</i>	14-66b

Statement of Purpose:

To permit a wrecker to assess a surcharge of ten dollars for the nonconsensual towing or transporting of a motor vehicle.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]