

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2995

03/12/2014 Authored by Erhardt

The bill was read for the first time and referred to the Committee on Transportation Policy

03/26/2014 Adoption of Report: Amended and Placed on the General Register
Read Second Time

1.1 A bill for an act
1.2 relating to public safety; towing; clarifying towing order requirements; amending
1.3 Minnesota Statutes 2012, section 168B.035, subdivision 2.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 168B.035, subdivision 2, is amended to
1.6 read:

1.7 Subd. 2. **Towing order required.** (a) A towing authority may not tow a motor
1.8 vehicle from public property unless ordered or authorized to do so by a peace officer or, a
1.9 parking enforcement officer has prepared, in addition to the parking citation, a written
1.10 towing report describing the motor vehicle and the reasons for towing. The report must be
1.11 signed by the officer and the tow driver, a fire department officer, or any local authority
1.12 authorized by section 169.04 to enforce the traffic laws. After receiving authorization
1.13 and towing the subject motor vehicle, a towing authority must confirm in writing to the
1.14 peace officer, parking enforcement officer, fire department officer, or local authority that it
1.15 received the authorization and has towed the motor vehicle.

1.16 (b) Within the Department of Transportation's eight-county metropolitan district, an
1.17 authorized employee of the department's freeway service patrol may order a tow from a
1.18 trunk highway after preparing a written towing report provided by the Minnesota State
1.19 Patrol. A citation need not be issued before the employee orders a tow.

1.20 (c) Except in cases where an accident or traffic hazard to the traveling public exists,
1.21 the department employee shall ensure that if the tower requested to remove the vehicle by
1.22 the owner arrives before the tower requested by the department, the tower requested by
1.23 the owner is given the opportunity to actually conduct and complete all towing operations
1.24 requested.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.