

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3178

02/07/2022

Authored by Freiberg

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

1.1 A bill for an act
1.2 relating to transportation; modifying requirements for towing and impounding
1.3 vehicles; amending Minnesota Statutes 2020, sections 168B.035, subdivisions 1,
1.4 5, by adding subdivisions; 168B.07, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2020, section 168B.035, subdivision 1, is amended to read:

1.7 Subdivision 1. ~~Towing authority~~ **Definitions.** (a) For purposes of this section, the
1.8 following definitions have the meanings given.

1.9 (b) "Towing authority" means:

1.10 (1) any local authority authorized by section 169.04 to enforce the traffic laws, and a
1.11 private towing company authorized by a local authority; or

1.12 (2) an authorized employee of the Department of Transportation's freeway service patrol
1.13 within the department's eight-county metropolitan district.

1.14 (c) "Towing company" means any company providing towing services in the state,
1.15 regardless of whether the company is a towing authority.

1.16 Sec. 2. Minnesota Statutes 2020, section 168B.035, subdivision 5, is amended to read:

1.17 Subd. 5. **Private property.** (a) This section does not restrict the authority of the owner
1.18 of private property to authorize under chapter 168B the towing of a motor vehicle unlawfully
1.19 parked on the private property.

1.20 (b) A towing company must only tow a motor vehicle from private property when
1.21 requested to do so by the owner or lessee of the property. The owner or lessee of the property

2.1 must make the request to tow a vehicle in writing and include a description of the vehicle
2.2 and the reason for towing. Upon request, the towing company must provide a copy of the
2.3 written request to the vehicle's owner or owner's agent.

2.4 Sec. 3. Minnesota Statutes 2020, section 168B.035, is amended by adding a subdivision
2.5 to read:

2.6 Subd. 7. **Incomplete tows.** (a) A towing company that is in the process of towing a
2.7 vehicle must immediately release the vehicle if:

2.8 (1) the owner of the vehicle or the owner's agent requests that the vehicle be released;

2.9 (2) the owner of the vehicle or the owner's agent pays a fee of not more than \$.....; and

2.10 (3) the request is made before the tow truck leaves the property where the vehicle was
2.11 parked.

2.12 Upon the release of the vehicle, the owner or the owner's agent must immediately move the
2.13 vehicle to a lawful parking location or otherwise remove the vehicle from the property.

2.14 (b) If the owner of the vehicle or the owner's agent arrives while the vehicle is being
2.15 towed, the towing company must provide written notification to the owner or agent that the
2.16 vehicle will be released if the conditions in paragraph (a) are satisfied.

2.17 (c) This subdivision does not apply to vehicles that are part of a criminal investigation
2.18 or are stolen.

2.19 Sec. 4. Minnesota Statutes 2020, section 168B.035, is amended by adding a subdivision
2.20 to read:

2.21 Subd. 8. **Payment; receipt; fees.** (a) A towing company must not charge the owner of
2.22 a vehicle or the owner's agent more than \$150 for towing a vehicle.

2.23 (b) A towing company must accept payment by cash, check, debit card, or credit card
2.24 for all services. For each payment received, the towing company must provide an itemized
2.25 receipt to the person making the payment. At a minimum, the receipt must include the
2.26 following information: (1) the make and model of the vehicle; (2) the vehicle identification
2.27 number; (3) the location of the vehicle at the time it was towed; (4) the amount for each
2.28 separate type of fee or charge; and (5) contact information for the company.

3.1 Sec. 5. Minnesota Statutes 2020, section 168B.07, subdivision 1, is amended to read:

3.2 Subdivision 1. **Payment of charges; receipt; fees.** (a) The owner or any lienholder of
3.3 an impounded vehicle shall have a right to reclaim such vehicle from the unit of government
3.4 or impound lot operator taking it into custody upon payment of all towing and storage
3.5 charges resulting from taking the vehicle into custody within 15 or 45 days, as applicable
3.6 under section 168B.051, subdivision 1, 1a, or 2, after the date of the notice required by
3.7 section 168B.06.

3.8 (b) An impound lot operator must not charge the owner of a vehicle or the owner's agent
3.9 more than \$30 per day for storage charges and other costs related to the impoundment.

3.10 (c) An impound lot operator must accept payment by cash, check, debit card, or credit
3.11 card for all services. For each payment received, the impound lot operator must provide an
3.12 itemized receipt to the person making the payment. At a minimum, the receipt must include
3.13 the following information: (1) the make and model of the vehicle; (2) the vehicle
3.14 identification number; (3) the date the vehicle was impounded; (4) the name of the entity
3.15 responsible for impounding the vehicle; (5) the amount for each separate type of fee or
3.16 charge; and (6) contact information for the impound lot operator.