

1 ENGROSSED SENATE  
2 BILL NO. 841

By: Paxton of the Senate

3 and

4 Sims of the House

5  
6 An Act relating to motor vehicle storage rates;  
7 amending 47 O.S. 2021, Section 953.2, which relates  
8 to fees and charges for storage of towed vehicles;  
9 modifying inclusions; adding applicable entities;  
10 specifying acceptable forms of payment; modifying  
11 duties of facilities; and providing an effective  
12 date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2021, Section 953.2, is  
15 amended to read as follows:

16 Section 953.2. A. The rates established by order of the  
17 Corporation Commission shall determine the maximum fees and charges  
18 for the storage and after-hours release of nonconsensual towed  
19 vehicles, including incorporated and unincorporated areas, by a  
20 wrecker or towing service licensed by the Department of Public  
21 Safety and repair facilities as defined in Section 953 of Title 15  
22 of the Oklahoma Statutes. No wrecker or towing service or repair  
23 facilities shall charge any fee for nonconsensual towed vehicles and  
24 storage which exceeds the maximum rates established by the  
Commission. Such rates shall be in addition to any other rates,

1 fees or charges authorized, allowed or required by law, including  
2 environmental remediation fees and services.

3 B. 1. Storage or after-hours release of a towed vehicle, or  
4 both, provided by a wrecker or towing service or by a repair  
5 facility shall be recorded by the operator on a bill or invoice as  
6 prescribed by rules of the Department.

7 2. Nothing herein shall limit the right of an operator or  
8 repair facility who has provided or caused to be provided storage or  
9 after-hours release of a towed vehicle, or both, to require  
10 prepayment, in part or in full, or guarantee of payment of any  
11 charges incurred for providing such services.

12 3. This section shall not be construed to require an operator  
13 or repair facility to charge a fee for the storage or after-hours  
14 release, or both, of any towed vehicle.

15 4. The operator or repair facility is authorized to collect all  
16 lawful fees in acceptable forms of payment such as through check,  
17 credit card, automated clearing house transfer, or debit card from  
18 the owner, lienholder or agent of the towed vehicle or insurer  
19 accepting liability for paying the claim for a vehicle or purchasing  
20 the vehicle as a total loss vehicle from the registered owner for  
21 the performance of any and all such services. An operator or repair  
22 facility shall make the towed vehicle available for inspection by  
23 the owner, lien holder, agent of the towed vehicle, or insurer  
24 accepting liability for paying the claim for a vehicle and shall

1 release the vehicle from storage upon authorization from the owner,  
2 agent or lienholder of the vehicle or in the case of a total loss,  
3 the insurer accepting liability for paying the claim for the vehicle  
4 or purchasing the vehicle where the vehicle is to be moved to an  
5 insurance pool yard for sale.

6 C. The rates in subsections D through F of this section shall  
7 be applicable until superseded by rates established by the  
8 Commission.

9 D. Outdoor Storage Rates.

10 1. Rates in this subsection shall apply to the outdoor storage  
11 of a towed vehicle. Rates may be applied from the time the towed  
12 vehicle is brought onto the outdoor storage facility premises.

13 Rates shall apply to each calendar day of outdoor storage; provided,  
14 the maximum twenty-four-hour fee, as provided for in this section,  
15 may be charged for any towed vehicle which is stored for a portion  
16 of a twenty-four-hour period.

17 2. Maximum outdoor storage rates shall be as follows:

Type of Towed Vehicle	Rate per Each
	24-hour Period or
	Portion Thereof
Single vehicle: motorcycle, automobile, or light truck up to 20 feet in length	\$15.00

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1	Single vehicle or combination of vehicles	
2	over 20 feet in length but less than 30	
3	feet in length	\$20.00
4	Single vehicle or combination of vehicles	
5	over 30 feet in length and up to 8 feet	
6	in width	\$25.00
7	Single vehicle or combination of vehicles	
8	over 30 feet in length and over 8 feet	
9	in width	\$35.00

10 E. Indoor Storage Rates~~÷~~.

11 1. Rates in this subsection shall apply to the indoor storage  
12 of a towed vehicle. Rates may be applied from the time the towed  
13 vehicle is brought into the indoor storage facility premises. Rates  
14 shall apply to each calendar day of indoor storage; provided, the  
15 maximum twenty-four-hour fee, as provided for in this section, may  
16 be charged for any towed vehicle which is stored for a portion of a  
17 twenty-four-hour period.

18 2. Maximum indoor storage rates shall be as follows:

19		Rate per Each
20		24-hour Period or
21	Type of Towed Vehicle	Portion Thereof
22	Single vehicle: motorcycle, automobile,	
23	or light truck up to 20 feet in length	\$25.00
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1 Single vehicle or combination of vehicles  
2 over 20 feet in length but less than 30  
3 feet in length \$30.00

4 Single vehicle or combination of vehicles  
5 over 30 feet in length and up to 8 feet  
6 in width \$35.00

7 Single vehicle or combination of vehicles  
8 over 30 feet in length and over 8 feet  
9 in width \$45.00

10 3. For purposes of this subsection, "indoor storage" means the  
11 vehicle is kept in an enclosed facility.

12 F. After-Hours Release Rate.

13 1. The rate in this subsection shall apply to the release of a  
14 towed vehicle to the owner, lienholder, or agent when such release  
15 occurs at a time other than normal business hours.

16 2. As used in this subsection:

- 17 a. "after-hours release rate" shall mean the rate charged  
18 for the release of a towed vehicle between the hours  
19 of midnight and 8:00 a.m., or between the hours of  
20 4:00 p.m. and midnight Monday through Friday, or any  
21 time on Saturday, Sunday or a national holiday, and  
22 b. "national holiday" shall mean New Year's Day, Martin  
23 Luther King Day, George Washington's Birthday, on the  
24 third Monday in February, Memorial Day, Independence

1 Day, Labor Day, Veterans Day, Thanksgiving Day and  
2 Christmas Day, and shall further include the Friday  
3 before such national holiday which falls on a Saturday  
4 and the Monday following such national holiday which  
5 falls on a Sunday.

6 3. The maximum after-hours release rate shall be Fifteen  
7 Dollars (\$15.00) per quarter hour for the release of any single  
8 vehicle or combination of vehicles.

9 G. An operator or repair facility shall be required to provide  
10 reasonable documentation to substantiate all lawful fees charged the  
11 owner, lienholder, agent or insurer accepting liability for paying  
12 the claim for the towed vehicle or purchasing the towed vehicle.  
13 Fees for which the operator or repair facility is being reimbursed,  
14 or having paid to a third party, shall include copies of the invoice  
15 or other appropriate documents to substantiate the payment to the  
16 third party.

17 SECTION 2. This act shall become effective November 1, 2023.  
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