

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 841

By: Paxton

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicle storage rates;  
8 amending 47 O.S. 2021, Section 953.2, which relates  
9 to fees and charges for storage of towed vehicles;  
10 modifying inclusions; and providing an effective  
11 date.

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

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

15 Section 953.2. A. The rates established by order of the  
16 Corporation Commission shall determine the maximum fees and charges  
17 for the storage and after-hours release of nonconsensual towed  
18 vehicles, including incorporated and unincorporated areas, by a  
19 wrecker or towing service licensed by the Department of Public  
20 Safety and repair facilities as defined in Section 953 of Title 15  
21 of the Oklahoma Statutes. No wrecker or towing service or repair  
22 facilities shall charge any fee for nonconsensual towed vehicles and  
23 storage which exceeds the maximum rates established by the  
24 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 from the owner, lienholder or agent of the towed vehicle  
17 or insurer accepting liability for paying the claim for a vehicle or  
18 purchasing the vehicle as a total loss vehicle from the registered  
19 owner for the performance of any and all such services. An operator  
20 or repair facility shall release the vehicle from storage upon  
21 authorization from the owner, agent or lienholder of the vehicle or  
22 in the case of a total loss, the insurer accepting liability for  
23 paying the claim for the vehicle or purchasing the vehicle where the  
24 vehicle is to be moved to an insurance pool yard for sale.

1 C. The rates in subsections D through F of this section shall  
2 be applicable until superseded by rates established by the  
3 Commission.

4 D. Outdoor Storage Rates.

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

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

12 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
Single vehicle or combination of vehicles over 20 feet in length but less than 30 feet in length	\$20.00
Single vehicle or combination of vehicles over 30 feet in length and up to 8 feet in width	\$25.00

1 Single vehicle or combination of vehicles  
2 over 30 feet in length and over 8 feet  
3 in width \$35.00

4 E. Indoor Storage Rates:

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

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

Type of Towed Vehicle	Rate per Each 24-hour Period or Portion Thereof
16 Single vehicle: motorcycle, automobile, 17 or light truck up to 20 feet in length	\$25.00
18 Single vehicle or combination of vehicles 19 over 20 feet in length but less than 30 20 feet in length	\$30.00
21 Single vehicle or combination of vehicles 22 over 30 feet in length and up to 8 feet 23 in width	\$35.00

1 Single vehicle or combination of vehicles

2 over 30 feet in length and over 8 feet

3 in width

\$45.00

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

6 F. After-Hours Release Rate.

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

10 2. As used in this subsection:

- 11 a. "after-hours release rate" shall mean the rate charged  
12 for the release of a towed vehicle between the hours  
13 of midnight and 8:00 a.m., or between the hours of  
14 4:00 p.m. and midnight Monday through Friday, or any  
15 time on Saturday, Sunday or a national holiday, and
- 16 b. "national holiday" shall mean New Year's Day, Martin  
17 Luther King Day, George Washington's Birthday, on the  
18 third Monday in February, Memorial Day, Independence  
19 Day, Labor Day, Veterans Day, Thanksgiving Day and  
20 Christmas Day, and shall further include the Friday  
21 before such national holiday which falls on a Saturday  
22 and the Monday following such national holiday which  
23 falls on a Sunday.

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

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

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

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