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Impounded Vehicle Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

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3

LONG TITLE

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General Description:

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This bill allows an individual to remove certain essential items from an impounded vehicle.

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Highlighted Provisions:

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This bill:

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- amends the definition of "life essential item" to include cell phones and employment tools;

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- adds a requirement that the removal of items may not interfere with health and safety; and

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- makes technical changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29), as last amended by Laws

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of Utah 2025, Chapter 378

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72-9-603 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 378

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Be it enacted by the Legislature of the state of Utah:

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Section 1. Section **41-6a-1406** is amended to read:

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41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29). Removal and

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impoundment of vehicles -- Reporting and notification requirements -- Administrative

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impound fee -- Refunds -- Possessory lien -- Rulemaking.

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(1) If a vehicle, vessel, or outboard motor is impounded as provided under Section

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41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order

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of a peace officer or by an order of a person acting on behalf of a law enforcement

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agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor

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shall be at the expense of the owner.

- 31 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be impounded to a
32 state impound yard.
- 33 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
34 removed by a tow truck motor carrier that meets standards established:
35 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
36 (b) by the department under Subsection (11).
- 37 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
38 outboard motor that is impounded as described in Subsection (1).
- 39 (b) Before noon on the next business day after the date of the removal of the vehicle,
40 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
41 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,
42 by:
43 (i) the peace officer or agency by whom the peace officer is employed; and
44 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
45 operator is employed.
- 46 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
47 include:
48 (i) the operator's name, if known;
49 (ii) a description of the vehicle, vessel, or outboard motor;
50 (iii) the vehicle identification number or vessel or outboard motor identification
51 number;
52 (iv) the case number designated by the peace officer, law enforcement agency
53 number, or government entity;
54 (v) the license number, temporary permit number, or other identification number
55 issued by a state agency;
56 (vi) the date, time, and place of impoundment;
57 (vii) the reason for removal or impoundment;
58 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
59 outboard motor; and
60 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 61 (d)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
62 the State Tax Commission shall make rules to establish proper format and
63 information required on the form described in this Subsection (4).
64 (ii) The State Tax Commission shall ensure that the form described in this Subsection

- 65 (4) is provided in an electronic format.
- 66 (e) Until the tow truck operator or tow truck motor carrier reports the removal as
67 required under this Subsection (4), a tow truck motor carrier or impound yard may
68 not:
- 69 (i) collect any fee associated with the removal; and
70 (ii) begin charging storage fees.
- 71 (5)(a) A report described in this Subsection (5) is required for any vehicle, vessel, or
72 outboard motor that is removed, except for:
- 73 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
74 Subsection (1); or
75 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in
76 accordance with Section 72-9-603.
- 77 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer
78 shall provide documentation to the tow truck operator or tow truck motor carrier that
79 includes:
- 80 (i) the name and badge number of the peace officer;
81 (ii) the name and originating agency identifier of the law enforcement agency; and
82 (iii) the case number designated by the law enforcement officer or law enforcement
83 agency.
- 84 (c) For a removal described in Subsection (5)(a), before noon on the next business day
85 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
86 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
87 an electronic format approved by the Motor Vehicle Division:
- 88 (i) the report described in Subsection (4); or
89 (ii) the report described in Subsection (5)(d).
- 90 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
91 motor carrier does not provide the report described in Subsection (4), the tow truck
92 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
93 Division that includes:
- 94 (i) the name and badge number of the relevant peace officer;
95 (ii) the name and originating agency identifier of the law enforcement agency;
96 (iii) the law enforcement agency case number;
97 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
98 number, temporary permit number, or other identification number issued by a

- 99 state agency;
- 100 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
- 101 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 102 (e) If either the vehicle identification number or the license number, temporary permit
- 103 number, or other identification number issued by a state agency is not available, the
- 104 report shall include:
- 105 (i) as much information as is available from both the vehicle identification number
- 106 and the license plate number of the vehicle, vessel, or outboard motor; and
- 107 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
- 108 model, and model year of the vehicle, vessel, or outboard motor.
- 109 (f) Until the tow truck operator or tow truck motor carrier reports the removal as
- 110 required under this Subsection (5), a tow truck motor carrier may not:
- 111 (i) collect any fee associated with the removal; or
- 112 (ii) begin charging storage fees.
- 113 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
- 114 removed to:
- 115 (i) a state impound yard; or
- 116 (ii) a location that has been requested by the registered owner at the time of removal,
- 117 if payment is made to the tow truck motor carrier or tow truck operator at the time
- 118 of removal.
- 119 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 120 State Tax Commission may make rules to establish proper format and information
- 121 required on the form described in Subsection (5)(d), including submission in an
- 122 electronic format.
- 123 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
- 124 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
- 125 described in Section 41-1a-114, to the following parties with an interest in the
- 126 vehicle, vessel, or outboard motor, as applicable:
- 127 (i) the registered owner;
- 128 (ii) ~~any~~ a lien holder; or
- 129 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
- 130 motor is ~~currently~~ operating under a temporary permit issued by the dealer, as
- 131 described in Section 41-3-302.
- 132 (b) The notice shall:

- 133 (i) state the date, time, and place of removal, the name, if applicable, of the~~[person]~~
134 individual operating the vehicle, vessel, or outboard motor at the time of removal,
135 the reason for removal, and the place where the vehicle, vessel, or outboard motor
136 is stored;
- 137 (ii) state that the registered owner is responsible for payment of towing, impound,
138 and storage fees charged against the vehicle, vessel, or outboard motor;
- 139 (iii) state the conditions that ~~[must]~~ shall be satisfied before the vehicle, vessel, or
140 outboard motor is released; and
- 141 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
142 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal
143 or impoundment under this section, one of the parties fails to make a claim for
144 release of the vehicle, vessel, or outboard motor.
- 145 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
146 is not registered in this state, the Motor Vehicle Division shall make a reasonable
147 effort to notify the parties described in Subsection (6)(a) of the removal and the place
148 where the vehicle, vessel, or outboard motor is stored.
- 149 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
150 if a report was received by a tow truck operator or tow truck motor carrier reporting a
151 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).
- 152 (e)(i) The Motor Vehicle Division shall disclose the information in the report
153 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
154 as defined in Section 41-12a-802 regarding a tow that was initiated:
- 155 (A) by law enforcement; or
156 (B) without the vehicle owner's consent.
- 157 (ii) The Motor Vehicle Division may rely on the information provided by the tow
158 truck operator or tow truck motor carrier to determine if a tow meets the criteria
159 described in Subsections (6)(e)(i)(A) and (B).
- 160 (iii) The designated agent may disclose information received ~~[regarding]~~ concerning
161 a tow described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
162 vehicle owner's verified insurance company.
- 163 (iv) The designated agent may not disclose information to a vehicle owner's
164 insurance company if the tow does not meet the criteria described in Subsections
165 (6)(e)(i)(A) and (B).
- 166 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound

- 167 yard as described in this section shall be released after a party described in
168 Subsection (6)(a) or (7)(f):
- 169 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
170 the State Tax Commission;
 - 171 (ii) presents identification sufficient to prove ownership of the impounded or
172 removed vehicle, vessel, or outboard motor;
 - 173 (iii) completes the registration, if needed, and pays the appropriate fees;
 - 174 (iv) if the impoundment was made under Section 41-6a-527 or Subsection 41-1a-1101
175 (3), pays:
 - 176 (A) an administrative impound fee of \$425; and
 - 177 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an
178 administrative testing fee of \$30; and
 - 179 (v) pays all towing and storage fees to the place where the vehicle, vessel, or
180 outboard motor is stored.
- 181 (b)(i) Twenty-nine dollars of the administrative impound fee assessed under
182 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 183 (ii) One-hundred and forty-seven dollars of the administrative impound fee assessed
184 under Subsection (7)(a)(iv)(A) shall be deposited into the Department of Public
185 Safety Restricted Account created in Section 53-3-106.
- 186 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
187 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
188 created in Section 26B-1-318.
- 189 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
190 remainder of the administrative impound fee assessed under Subsection
191 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 192 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be
193 deposited into the State Laboratory Drug Testing Account created in Section
194 26B-1-304.
- 195 (c) The administrative impound fee and the administrative testing fee assessed under
196 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
197 registered owner, lien holder, or owner's agent presents written evidence to the State
198 Tax Commission that:
- 199 (i) the Driver License Division determined that the arrested~~[-person's-]~~ individual's
200 driver license should not be suspended or revoked under Section 53-3-223 or

- 201 41-6a-521 as shown by a letter or other report from the Driver License Division
 202 presented within 180 days after the day on which the Driver License Division
 203 mailed the final notification; or
- 204 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
 205 stolen vehicle report presented within 180 days after the day of the impoundment.
- 206 (d) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
 207 payment by cash and debit or credit card for a removal or impoundment under
 208 Subsection (1) or any service rendered, performed, or supplied in connection with a
 209 removal or impoundment under Subsection (1).
- 210 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
 211 impounded vehicle, vessel, or outboard motor if:
- 212 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
 213 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
 214 Subsection (6)(a), even if the party satisfies the requirements to release the
 215 vehicle, vessel, or outboard motor under this Subsection (7).
- 216 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or
 217 outboard motor impounded or removed to a state impound yard as described in this
 218 section shall be released to an individual that is not described in Subsection (6)(a) if
 219 the individual:
- 220 (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);
 221 (B) presents the individual's driver license or other government-issued
 222 identification; and
 223 (C) demonstrates that the individual has authority granted by a person described in
 224 Subsection (6)(a) to obtain and operate the vehicle; or
- 225 (ii) is a tow truck operator or tow truck motor carrier that:
- 226 (A) demonstrates that the tow truck operator or tow truck motor carrier has
 227 authority granted by a person described in Subsection (6)(a) to obtain and
 228 operate the vehicle, vessel, or outboard motor;
 229 (B) provides a towing certificate issued by the Department of Transportation [
 230 ~~pursuant to~~] in accordance with Section 72-9-602;
 231 (C) pays all towing and storage fees; and
 232 (D) obtains or presents an impound release for the vehicle, vessel, or outboard
 233 motor [~~pursuant to~~] in accordance with Subsection (7)(a).
- 234 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by

- 235 a party described in Subsection (6)(a) or (7)(f) within the time prescribed by Section
236 41-1a-1103, the Motor Vehicle Division shall issue a certificate of sale for the
237 impounded or removed vehicle, vessel, or outboard motor as described in Section
238 41-1a-1103.
- 239 (b) The date of impoundment or removal is considered the date of seizure for computing
240 the time period provided under Section 41-1a-1103.
- 241 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the
242 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
243 of action for all the fees and charges, together with damages, court costs, and attorney
244 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
245 the removal or impoundment.
- 246 (10)(a) As used in this Subsection (10), "life essential item" means the same as that term
247 is defined in Subsection 72-9-603(13).
- 248 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,
249 or outboard motor.
- 250 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and any
251 nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 252 (d)(i) Except for a vehicle, vessel, ~~or~~ outboard motor, or an item being held as
253 evidence, a tow truck operator, a tow truck motor carrier, or an impound yard
254 shall allow a person described in Subsection (6)(a) or an individual described in
255 Subsection (7)(f)(i) to take possession of any life essential item within the vehicle,
256 vessel, or outboard motor during normal business hours regardless of whether the
257 towing, impound fees, or storage fees have been paid.
- 258 (ii) A tow truck operator, a tow truck motor carrier, or an impound yard may not
259 allow an individual to retrieve the items described in Subsection (10)(d)(i) if the
260 retrieval would cause an unreasonable delay to vehicle impounding or storage or
261 create a safety risk.
- 262 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon
263 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an
264 impound yard shall allow a person described in Subsection (6)(a) or an individual
265 described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor during
266 normal business hours and remove personal property not attached to the vehicle,
267 vessel, or outboard motor.
- 268 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

269 department shall make rules setting the performance standards for towing companies to
 270 be used by the department.

271 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
 272 (4) be submitted in electronic form [~~utilizing~~] using a database for submission,
 273 storage, and retrieval of the information.

274 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
 275 administrator of the database may adopt a schedule of fees assessed for [~~utilizing~~]
 276 using the database.

277 (ii) The fees under this Subsection (12)(b) shall:

278 (A) be reasonable and fair; and

279 (B) reflect the cost of administering the database.

280 Section 2. Section **72-9-603** is amended to read:

281 **72-9-603 (Effective 05/06/26). Towing notice requirements -- Cost**

282 **responsibilities -- Abandoned vehicle title restrictions -- Rules for maximum rates and**
 283 **certification.**

284 (1) Except for a tow truck service that was ordered by a peace officer, a person acting on
 285 behalf of a law enforcement agency, or a highway authority, after performing a tow
 286 truck service that is being done without the vehicle, vessel, or outboard motor owner's
 287 knowledge, the tow truck operator or the tow truck motor carrier shall:

288 (a) immediately upon arriving at the place of storage or impound of the vehicle, vessel,
 289 or outboard motor:

290 (i) provide relevant information to the impound vehicle service system database
 291 administered by the Motor Vehicle Division, including:

292 (A) the date and time of the removal of the vehicle, vessel, or outboard motor;

293 (B) a description of the vehicle, vessel, or outboard motor; and

294 (C) the vehicle identification number or vessel or outboard motor identification
 295 number; and

296 (ii) contact the law enforcement agency having jurisdiction over the area where the
 297 vehicle, vessel, or outboard motor was picked up and notify the agency of the:

298 (A) location of the vehicle, vessel, or outboard motor;

299 (B) date, time, and location from which the vehicle, vessel, or outboard motor was
 300 removed;

301 (C) reasons for the removal of the vehicle, vessel, or outboard motor;

302 (D) person who requested the removal of the vehicle, vessel, or outboard motor;

- 303 and
- 304 (E) description, including the identification number, license number, or other
- 305 identification number issued by a state agency, of the vehicle, vessel, or
- 306 outboard motor;
- 307 (b) except for a vehicle, vessel, or outboard motor that has been retrieved by the owner
- 308 or operator, within two business days of performing the tow truck service under
- 309 Subsection (1)(a), send a certified letter to the last-known address of each party
- 310 described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel, or
- 311 outboard motor obtained from the Motor Vehicle Division or, if the ~~person~~
- 312 individual has actual knowledge of the party's address, to the ~~current~~ party's
- 313 address, notifying the party of the:
- 314 (i) location of the vehicle, vessel, or outboard motor;
- 315 (ii) date, time, and location from which the vehicle, vessel, or outboard motor was
- 316 removed;
- 317 (iii) reasons for the removal of the vehicle, vessel, or outboard motor;
- 318 (iv) person who requested the removal of the vehicle, vessel, or outboard motor;
- 319 (v) a description, including ~~its~~ an identification number and license number or other
- 320 identification number issued by a state agency; and
- 321 (vi) costs and procedures to retrieve the vehicle, vessel, or outboard motor; and
- 322 (c) upon initial contact with the owner or operator whose vehicle, vessel, or outboard
- 323 motor was removed, provide the owner or operator with a copy of the Utah
- 324 Consumer Bill of Rights Regarding Towing established by the department in
- 325 Subsection (16)(e).
- 326 (2) Until the tow truck operator or tow truck motor carrier reports the information required
- 327 under Subsection (1)(a), a tow truck operator, tow truck motor carrier, or impound yard
- 328 may not:
- 329 (a) collect any fee associated with the removal; or
- 330 (b) begin charging storage fees.
- 331 (3)(a) Except as provided in Subsection (3)(b) or (9), a tow truck operator or tow truck
- 332 motor carrier may not perform a tow truck service at the request or direction of a
- 333 private property owner or the property owner's agent unless:
- 334 (i) the owner or a lien holder of the vehicle, vessel, or outboard motor consents to the
- 335 tow truck service; or
- 336 (ii) the property owner erects signage that meets the requirements of:

- 337 (A) Subsection (4)(b)(ii); and
338 (B) Subsection (7) or (8).
- 339 (b) Subsections (7) through (9) do not apply to the removal of a vehicle, vessel, or
340 outboard motor:
- 341 (i) from a location where parking is prohibited by law, including:
342 (A) a designated fire lane;
343 (B) within 15 feet of a fire hydrant, unless the vehicle is parked in a marked
344 parking stall or space; or
345 (C) a marked parking stall or space legally designated for disabled [persons]
346 individuals;
- 347 (ii) from a location where it is reasonably apparent that the location is not open to
348 parking;
- 349 (iii) from a location where all public access points are controlled by:
350 (A) a permanent gate, door, or similar feature allowing the vehicle to access the
351 facility; or
352 (B) a parking attendant;
- 353 (iv) from a location that materially interferes with access to private property;
354 (v) from the property of a detached single-family dwelling or duplex; or
355 (vi) [~~pursuant to~~] in accordance with a legal repossession.
- 356 (4)(a) A private property owner may, subject to the requirements of a local ordinance,
357 enforce parking restrictions by:
- 358 (i) authorizing a tow truck motor carrier to patrol and monitor the property and
359 enforce parking restrictions on behalf of the property owner in accordance with
360 Subsection (7);
- 361 (ii) enforcing parking restrictions as needed by requesting a tow from a tow truck
362 motor carrier on a case-by-case basis in accordance with Subsection (8); or
363 (iii) requesting a tow from a tow truck motor carrier after providing 24-hour written
364 notice in accordance with Subsection (9).
- 365 (b)(i) Any agreement between a private property owner and tow truck motor carrier
366 authorizing the tow truck motor carrier to patrol and monitor the property under
367 Subsection (4)(a)(i) shall include specific terms and conditions for the tow truck
368 motor carrier to remove a vehicle, vessel, or outboard motor from the property.
- 369 (ii) In addition to the signage described in Subsection (7) or (8), a private property
370 owner who allows public parking shall erect appropriate signage on the property

- 371 indicating clear instructions for parking at the property.
- 372 (iii) Where a single parking area includes abutting parcels of property owned by two
373 or more private property owners who enforce different parking restrictions under
374 Subsection (7) or (8), each property owner shall, in addition to the requirements
375 under Subsection (7) or (8), erect signage as required by this section:
- 376 (A) at each entrance to the property owner's parcel from another property owner's
377 parcel; and
- 378 (B) if there is no clearly defined entrance between one property owner's parcel and
379 another property owner's parcel, at intervals of 40 feet or less along the line
380 dividing the property owner's parcel from the other property owner's parcel.
- 381 (iv) Where there is no clearly defined entrance to a parking area from a highway, the
382 property owner shall erect signage as required by this section at intervals of 40
383 feet or less along any portion of a property line where a vehicle, vessel, or
384 outboard motor may enter the parking area.
- 385 (5) Nothing in Subsection (3) or (4) restricts the ability of a private property owner from,
386 subject to ~~[the provisions of]~~ this section, instituting and enforcing regulations for
387 parking at the property.
- 388 (6) In addition to any other powers provided by law, a political subdivision or state agency
389 may:
- 390 (a) enforce parking restrictions in accordance with Subsections (7) through (9) on
391 property that is:
- 392 (i) owned by the political subdivision or state agency;
- 393 (ii) located outside of the public right-of-way; and
- 394 (iii) open to public parking; and
- 395 (b) request or direct a tow truck service ~~[in order]~~ to abate a public nuisance on private
396 property over which the political subdivision or state agency has jurisdiction.
- 397 (7) For private property where parking is enforced under Subsection (4)(a)(i), the property
398 owner shall ensure that ~~[each]~~ an entrance to the property has signs located on the
399 property and clearly visible to the driver of a vehicle entering the property that
400 substantially comply with the following, as determined by the department:
- 401 (a) a top sign that is 24 inches tall by 18 inches wide and has:
- 402 (i) a blue, reflective background with a 1/2 inch white border;
- 403 (ii) two-inch, white letters at the top of the sign with the capitalized words "Lot is
404 Patrolled";

- 405 (iii) a white towing logo that is six inches tall and 16 inches wide that depicts an
 406 entire tow truck, a tow hook, and an entire vehicle being towed; and
- 407 (iv) two-inch, white letters at the bottom of the sign with the capitalized words
 408 "Towing Enforced"; and
- 409 (b) a bottom sign that is 24 inches tall by 18 inches wide with a 1/2 inch white, reflective
 410 border, and has:
- 411 (i) a top half that is red background with white, reflective letters indicating:
- 412 (A) who is authorized to park or restricted from parking at the property; and
 413 (B) any type of vehicle prohibited from parking at the property; and
- 414 (ii) a bottom half that has a white, reflective background with red letters indicating:
- 415 (A) the name and telephone number of the tow truck motor carrier that the
 416 property owner has authorized to patrol the property; and
 417 (B) the [~~Internet~~] internet web address "tow.utah.gov".
- 418 (8)(a) For private property where parking is enforced under Subsection (4)(a)(ii), a tow
 419 truck motor carrier may not:
- 420 [~~(i) a tow truck motor carrier may not:~~]
- 421 [~~(A)~~] (i) patrol and monitor the property;
- 422 [~~(B)~~] (ii) perform a tow truck service without the written or verbal request of the
 423 property owner or the property owner's agent; or
- 424 [~~(C)~~] (iii) act as the property owner's agent to request a tow truck service.
- 425 (b) For private property where parking is enforced under Subsection (4)(a)(ii), the
 426 property owner shall ensure that [~~each~~] an entrance to the property has a clearly
 427 visible sign located on the property that substantially follows the following format, as
 428 determined by the department:
- 429 (i) the sign is 24 inches tall by 18 inches wide with a 1/2 inch white, reflective
 430 border, and has:
- 431 (A) at the top of the sign, a blue background with a white, reflective towing logo
 432 that is at least four inches tall and 16 inches wide that depicts an entire tow
 433 truck, a tow hook, and an entire vehicle being towed;
- 434 (B) immediately below the towing logo described in Subsection (8)(b)(i)(A), a
 435 blue background with white, reflective letters at least two inches tall with the
 436 capitalized words "Towing Enforced"; and
- 437 (C) in the middle of the sign, a red background with white, reflective letters at
 438 least one inch tall indicating who is authorized to park or restricted from

- 439 parking at the property, and any type of vehicle prohibited from parking at the
440 property; and
- 441 (ii) at the bottom of the sign, a white, reflective background with red letters at least
442 one inch tall indicating:
- 443 (A) either the name and telephone number of the property owner or the property
444 owner's agent who is authorized to request a tow truck service, or the name and
445 telephone number of the tow truck motor carrier that provides tow truck
446 services for the property; and
- 447 (B) the [~~Internet~~] internet web address "tow.utah.gov".
- 448 (c) If a dispute arises regarding whether a sign required under this section substantially
449 complies with the requirements of this section, the department shall determine
450 whether the sign substantially complies.
- 451 (9)(a) For private property without signage substantially meeting the requirements of
452 Subsection (7) or (8), as determined by the department, the property owner may
453 request a tow truck motor carrier to remove a vehicle, vessel, or outboard motor from
454 the private property 24 hours after the property owner or the property owner's agent
455 affixes a written notice to the vehicle, vessel, or outboard motor in accordance with
456 this Subsection (9).
- 457 (b) The written notice described in Subsection (9)(a) shall:
- 458 (i) indicate the exact time when the written notice is affixed to the vehicle, vessel, or
459 outboard motor;
- 460 (ii) warn the owner of the vehicle, vessel, or outboard motor that the vehicle, vessel,
461 or outboard motor will be towed from the property if it is not removed within 24
462 hours after the time indicated in Subsection (9)(b)(i);
- 463 (iii) be at least four inches tall and four inches wide; and
- 464 (iv) be affixed to the vehicle, vessel, or outboard motor at a conspicuous location on
465 the driver's side window of the vehicle, vessel, or outboard motor.
- 466 (c) A property owner may authorize a tow truck motor carrier to act as the property
467 owner's agent for purposes of affixing the written notice described in Subsection
468 (9)(a) to a vehicle, vessel, or outboard motor.
- 469 (10) The department shall publish on the [~~department Internet~~] department's website the
470 signage requirements and written notice requirements and illustrated or photographed
471 examples of the signage and written notice requirements described in Subsections (7)
472 through (9).

- 473 (11) It is an affirmative defense to any claim, based on the lack of notice, that arises from
474 the towing of a vehicle, vessel, or outboard motor from private property that the property
475 had signage meeting the requirements of:
- 476 (a) Subsection (4)(b)(ii); and
 - 477 (b) Subsection (7) or (8).
- 478 (12) An individual described in Subsection 41-6a-1406(7)(f)(i) or a party described in
479 Subsection 41-6a-1406(6)(a) with an interest in a vehicle, vessel, or outboard motor
480 lawfully removed is only responsible for paying:
- 481 (a) the tow truck service and storage fees set in accordance with Subsection (16); and
 - 482 (b) the administrative impound fee set in Section 41-6a-1406, if applicable.
- 483 (13)(a) As used in this Subsection (13), "life essential item" means:
- 484 (i) prescription medication;
 - 485 (ii) medical equipment;
 - 486 (iii) shoes;
 - 487 (iv) coats;
 - 488 (v) food and water;
 - 489 (vi) child safety seats;
 - 490 (vii) a cell phone;
 - 491 (viii) tools necessary for an individual's employment;
 - 492 [~~vii~~] (ix) government-issued photo identification; and
 - 493 [~~viii~~] (x) human remains.
- 494 (b) The fees under Subsection (12) are a possessory lien on the vehicle, vessel, or
495 outboard motor.
 - 496 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and any
497 nonlife essential items contained in the vehicle, vessel, or outboard motor.
 - 498 (d) Except for a vehicle, vessel, [~~or~~]outboard motor, or an item being held as evidence,
499 a tow truck operator, a tow truck motor carrier, or an impound yard shall allow a
500 party described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel,
501 or outboard motor or an individual described in Subsection 41-6a-1406(7)(f)(i) to
502 take possession of any life essential item within the vehicle, vessel, or outboard
503 motor during normal business hours regardless of whether the towing, impound fees,
504 or storage fees have been paid.
 - 505 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon
506 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an

507 impound yard shall allow a party described in Subsection 41-6a-1406(6)(a) with an
508 interest in the vehicle, vessel, or outboard motor or an individual described in
509 Subsection 41-6a-1406(7)(f)(i) to enter the vehicle, vessel, or outboard motor during
510 normal business hours and remove personal property not attached to the vehicle,
511 vessel, or outboard motor.

512 (f) The tow truck operator or tow truck motor carrier shall securely store the vehicle,
513 vessel, or outboard motor and items described in Subsection (13)(a) in an approved
514 state impound yard until a party described in Subsection 41-6a-1406(6)(a) with an
515 interest in the vehicle, vessel, or outboard motor:

516 (i) pays the fees described in Subsection (12); and

517 (ii) removes the vehicle, vessel, or outboard motor from the state impound yard.

518 (14)(a) A vehicle, vessel, or outboard motor shall be considered abandoned if a party
519 described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel, or
520 outboard motor or an individual described in Subsection 41-6a-1406(7)(f)(i) does not,
521 within 30 days after notice has been sent under Subsection (1)(b):

522 (i) pay the fees described in Subsection (12); and

523 (ii) remove the vehicle, vessel, or outboard motor from the secure storage facility.

524 (b) A person may not request a transfer of title to an abandoned vehicle, vessel, or
525 outboard motor until at least 30 days after notice has been sent under Subsection
526 (1)(b).

527 (15)(a) A tow truck motor carrier or impound yard shall clearly and conspicuously post
528 and disclose all ~~[its current]~~ fees, rates, and acceptable forms of payment for tow
529 truck service and storage of a vehicle in accordance with rules established under
530 Subsection (16).

531 (b) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
532 payment by cash and debit or credit card for a tow truck service under Subsection (1)
533 or any service rendered, performed, or supplied in connection with a tow truck
534 service under Subsection (1).

535 (16) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
536 department shall:

537 (a) subject to the restriction in Subsection (17), set maximum rates that:

538 (i) a tow truck motor carrier may charge for the tow truck service of a vehicle, vessel,
539 or outboard motor that are transported in response to:

540 (A) a peace officer dispatch call;

- 541 (B) a motor vehicle division call; and
- 542 (C) any other call or request where the owner of the vehicle, vessel, or outboard
- 543 motor has not consented to the removal;
- 544 (ii) an impound yard may charge for the storage of a vehicle, vessel, or outboard
- 545 motor stored as a result of one of the conditions listed under Subsection (16)(a)(i);
- 546 and
- 547 (iii) an impound yard may charge for the after-hours release of a vehicle, vessel, or
- 548 outboard motor stored as a result of one of the conditions described in Subsection
- 549 (16)(a)(i);
- 550 (b) establish authorized towing certification requirements, not in conflict with federal
- 551 law, related to incident safety, clean-up, and hazardous material handling;
- 552 (c) specify the form and content of the posting and disclosure of fees and rates charged
- 553 and acceptable forms of payment by a tow truck motor carrier or impound yard;
- 554 (d) set a maximum rate for an administrative fee that a tow truck motor carrier may
- 555 charge for reporting the information required under Subsection (1)(a)(i) and
- 556 providing notice of the removal to each party described in Subsection 41-6a-1406
- 557 (6)(a) with an interest in the vehicle, vessel, or outboard motor as required in
- 558 Subsection (1)(b);
- 559 (e) establish a Utah Consumer Bill of Rights Regarding Towing form that contains
- 560 specific information regarding:
- 561 (i) a vehicle owner's or operator's rights and responsibilities if the owner's vehicle is
- 562 towed;
- 563 (ii) identifies the maximum rates that a tow truck motor carrier may charge for the
- 564 tow truck service of a vehicle, vessel, or outboard motor that is transported in
- 565 response to a call or request where the owner of the vehicle, vessel, or outboard
- 566 motor has not consented to the removal; and
- 567 (iii) identifies the maximum rates that an impound yard may charge for the storage of
- 568 vehicle, vessel, or outboard motor that is transported in response to a call or
- 569 request where the owner of the vehicle, vessel, or outboard motor has not
- 570 consented to the removal; and
- 571 (f) set a maximum rate for an after-hours fee allowed under Subsection (19)(b).
- 572 (17) An impound yard may not charge a fee for the storage of an impounded vehicle,
- 573 vessel, or outboard motor if:
- 574 (a) the vehicle, vessel, or outboard motor is being held as evidence; and

575 (b) the vehicle, vessel, or outboard motor is not being released to a party described in
576 Subsection 41-6a-1406(6)(a) or an individual described in Subsection
577 41-6a-1406(7)(f)(i), even if the party satisfies the requirements to release the vehicle,
578 vessel, or outboard motor under Section 41-6a-1406.

579 (18)(a)(i) A tow truck motor carrier may charge a rate up to the maximum rate set by
580 the department in rules made under Subsection (16).

581 (ii) In addition to the maximum rates established under Subsection (16) and when
582 receiving payment by credit card or debit card, a tow truck operator, a tow truck
583 motor carrier, or an impound yard may charge a card processing fee of 3% of the
584 transaction total.

585 (b) A tow truck motor carrier may not be required to maintain insurance coverage at a
586 higher level than required in rules made [~~pursuant to~~] in accordance with Subsection
587 (16).

588 (19) When a tow truck motor carrier or impound lot is in possession of a vehicle, vessel, or
589 outboard motor as a result of a tow service that was performed without the consent of
590 the owner, and that was not ordered by a peace officer or a person acting on behalf of a
591 law enforcement agency, the tow truck motor carrier or impound yard shall make
592 personnel available:

593 (a) by phone 24 hours a day, seven days a week; and

594 (b) to release the impounded vehicle, vessel, or outboard motor to the owner within one
595 hour of when the owner calls the tow truck motor carrier or impound yard.

596 (20) A tow truck motor carrier or a tow truck operator may not:

597 (a) share contact or other personal information of an owner of a vehicle, vessel, or
598 outboard motor or a party described in Subsection 41-6a-1406(6)(a) for which the
599 tow truck motor carrier or tow truck operator has performed a tow service; and

600 (b) receive payment for referring a person for whom the tow truck motor carrier or tow
601 truck operator has performed a tow service to another service, including:

602 (i) a lawyer referral service;

603 (ii) a medical provider;

604 (iii) a funding agency;

605 (iv) a marketer for any service described in Subsections (20)(b)(i) through (iii);

606 (v) a marketer for any other service; or

607 (vi) a third party vendor.

608 Section 3. **Effective Date.**

609 This bill takes effect on May 6, 2026.