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HOUSE BILL 253

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

William "Bill" R. Rehm

AN ACT

RELATING TO MOTOR VEHICLE TOWING SERVICES; PROHIBITING CERTAIN FEES; PROVIDING FOR MINIMUM ACCESS HOURS AND CREDIT CARD PAYMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Motor Carrier Act is enacted to read:

"~~[NEW MATERIAL]~~ TOWING SERVICES--PROHIBITED FEES--REQUIRED TIME FOR POSSESSION OR INSPECTION OF MOTOR VEHICLES--PERMITTING PAYMENT BY CREDIT CARD.--

A. A towing service shall not charge fees that vary depending on the day or time of day that the owner or authorized representative of the owner of a towed motor vehicle requests possession or inspection of that motor vehicle if the request is initiated between the hours of 7:00 a.m. and 9:00

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1 p.m. local time any day of the year. A towing service may
2 charge a reasonable additional fee if the request is not
3 initiated between the hours of 7:00 a.m. and 9:00 p.m. local
4 time.

5 B. A towing service shall have a representative
6 available every day of the year to process requests for the
7 possession or inspection of towed motor vehicles if the request
8 is initiated between the hours of 7:00 a.m. and 9:00 p.m. local
9 time. The representative shall be available on-site within
10 one-half hour of receiving a request for the recovery or
11 inspection of a towed motor vehicle.

12 C. A towing service shall not charge a storage fee
13 for any period of time less than twenty-four hours.

14 D. A towing service shall accept payment by credit
15 card for services rendered and fees."

16 SECTION 2. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2013.