

281.924 Private property towing -- Signage required for tow-away zone -- Duties of towing company.

- (1) (a) This section applies to any towing company that engages in, or offers to engage in, private property towing.
 - (b) This section does not apply to the towing of a motor vehicle from a tow-away zone that is not located on private property.
- (2) Prior to removing a motor vehicle from a tow truck under this section, a towing company that engages in or offers to engage in private property towing shall take photographs, video, or other visual documentation to document evidence of any vehicle damage, debris, or damaged cargo or property, or complications to the recovery process.
- (3) A private property owner may establish a tow-away zone on the owner's property. A property owner that establishes a tow-away zone under this subsection shall post at the location of the tow-away zone a sign that is clearly visible to the public. The sign shall include a statement that the area is a tow-away zone, pertinent contact information, and a description of any persons authorized to park or prohibited from parking in the area.
- (4) A towing company that tows a motor vehicle under this section shall ensure that the motor vehicle is towed to a storage facility located within twenty-five (25) miles of the location of the tow-away zone from which the motor vehicle was removed or, if no storage facility is located within twenty-five (25) miles of the location of the tow-away zone, to the storage facility nearest to the tow-away zone.
- (5) If the owner or operator of a motor vehicle parked in violation of a tow-away zone arrives at the location of the tow-away zone or private property while the motor vehicle is being towed, the towing company shall give the owner or operator either oral or written notification that the owner or operator may pay a fee in an amount not greater than fifty percent (50%) of the amount of the fee the towing company normally charges for the release of a motor vehicle. Upon the owner's or operator's payment of the amount specified, the towing company shall release the motor vehicle to the owner or operator and give the owner or operator a receipt showing the full amount of the fee the towing company normally charges for the release of a motor vehicle and the amount of the fee paid by the owner or operator.
- (6) A towing company shall provide notice to the law enforcement agency having jurisdiction in the location of the private property not later than two (2) hours after completing a tow of a motor vehicle from private property.
- (7) A towing company that performs private property towing shall secure a towed motor vehicle properly and take all reasonable efforts to prevent further damage, including weather damage, or theft of a towed motor vehicle, including the motor vehicle's cargo and contents until the motor vehicle is out of the towing company's possession. A towing company shall not be responsible for damage that occurred prior to taking possession of the motor vehicle for towing.

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