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ASSEMBLY BILL 394 (R1)

Assembly Bill 394 (Committee on Transportation): Heard 5-01; Work Session 5-08

AN ACT relating to traffic laws; revising the provisions governing the removal by a police officer of a vehicle or part of a vehicle from a highway to a garage or other place of safekeeping; and providing other matters properly relating thereto.

This measure requires a police officer that removes a vehicle from a highway to use a towing service in accordance with any applicable protocol such as a rotational schedule, unless a different course of action is necessary to preserve evidence of a criminal offense. The tow car operator, to the extent practicable, must use the shortest and most direct route to take that vehicle to his garage or place of safekeeping that is nearest to the location of the vehicle.

Testimony indicated that law enforcement agencies use a list of approved tow car operators to remove vehicles when no owner is present. Law enforcement agencies rotate the list of tow car operators each month. Further, a tow car operator must meet certain criteria in order to be placed on the list.

The mock up contains one proposed amendment to remove liability from police officers for vehicles and items in vehicles after the vehicle is released to the tow company. (Proposed by Gary Wolff, Teamster Local 14, pg. 2)

STrans/AB394WS