

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1743

By: Pederson

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7 AS INTRODUCED

8 An Act relating to motor vehicles; requiring payment  
9 of certain claims for towing services directly to  
10 wrecker operator; allowing licensed wrecker operator  
11 to take possession of impounded vehicle tag;  
12 requiring issuance of statement of charges owed;  
13 requiring notification to Service Oklahoma following  
14 certain possession; directing Service Oklahoma to  
15 issue certain designation upon notification;  
16 requiring remittance of license plate and  
17 notification of received payment; defining term;  
18 prohibiting certain persons from issuing or renewing  
19 vehicle tags for certain vehicle owners until certain  
20 received payment and tag remittance; directing rule  
21 promulgation; providing for codification; and  
22 providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 953.3 of Title 47, unless there  
is created a duplication in numbering, reads as follows:

Notwithstanding any other provision of law, an insurer accepting  
liability for the payment of a claim for services performed by a

1 wrecker operator shall make that claim directly payable to the  
2 operator. Such services shall include, but are not limited to,  
3 towing, nonconsensual towing, vehicle removal, and clearing of the  
4 roadway of any glass or injurious substance following a vehicle  
5 collision. The wrecker or towing operator shall provide written  
6 documentation of the claim to the insurer prior to payment being  
7 made.

8 SECTION 2. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 964.1 of Title 47, unless there  
10 is created a duplication in numbering, reads as follows:

11 A. In the event that a licensed wrecker operator lawfully tows  
12 and stores a vehicle with a license plate, the wrecker operator  
13 shall issue a written statement of the amount owed by the insurer  
14 accepting liability for the claim for services performed by a  
15 wrecker operator, or to the vehicle owner responsible for payment if  
16 there is no insurer accepting liability. Following issuance of a  
17 statement under this section to a vehicle owner who is responsible  
18 for payment, or to an insurer accepting liability for the claim that  
19 does not pay the claim within the timeframe established under  
20 Section 1250.7 of Title 36 of the Oklahoma Statutes, the wrecker  
21 operator may remove and withhold the license plate affixed to the  
22 vehicle until payment is made to the wrecker operator by the insurer  
23 accepting liability for the claim or the vehicle owner responsible  
24 for payment.

1 B. 1. In the event that a wrecker operator removes and  
2 withholds a license plate under subsection A of this section the  
3 wrecker operator shall, within three (3) days, notify Service  
4 Oklahoma that the wrecker operator is withholding the license plate  
5 as a result of nonpayment.

6 2. Upon notification from a wrecker operator under this  
7 section, Service Oklahoma shall produce a stop flag designation to  
8 enable the wrecker operator to be paid prior to issuance of any  
9 license plate to the vehicle owner.

10 3. Upon payment in full of any charges contained on the  
11 statement, and any accrued storage charges, the wrecker operator  
12 shall remit the license plate to the vehicle owner and Service  
13 Oklahoma shall be notified that the vehicle owner is in compliance  
14 and possession of the license plate at issue.

15 4. For the purpose of this section, "stop flag designation"  
16 means a designation issued by Service Oklahoma to prevent the  
17 processing of vehicle related transactions, except those for taxes  
18 and fees due, title error, law enforcement request, or court order.

19 C. Employees of Service Oklahoma and licensed operators in this  
20 state shall not issue a new or renewed tag to the vehicle owner  
21 whose license plate is in the possession of a wrecker operator for  
22 any vehicle owned by the person until all service charges have been  
23 paid and the license plate has been remitted by the wrecker  
24 operator.

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D. Service Oklahoma shall promulgate rules to effectuate the provisions of this section.

SECTION 3. This act shall become effective November 1, 2024.

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