

## FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1753 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Dell Kerbs

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE  
FOR

HOUSE BILL NO. 1753

By: Kerbs of the House

and

Frix of the Senate

FLOOR SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 953.1, which relates to maximum fees and charges; deleting certain rate calculations; requiring certain documentation be kept; requiring hourly rates be calculated and updated annually using certain federal data; requiring Corporation Commission make certain calculation; requiring certain notification; authorizing amendment to rate calculation if conditions met; providing rates be calculated by vehicle weight; removing certain weekly adjustment of fees; modifying responsible agency; amending 47 O.S. 2021, Section 953.2, as amended by Section 1, Chapter 316, O.S.L. 2023 (47 O.S. Supp. 2024, Section 953.2), which relates to fees and charges for storage; requiring hourly rates be calculated and updated annually using certain federal data requiring certain annual update; requiring Corporation Commission make certain calculation; authorizing amendment to rate calculation if conditions met; modifying maximum indoor and outdoor storage rates; amending 47 O.S. 2021, Section 966, which relates to the Nonconsensual Towing Act of 2011; modifying certain power and authority of the Corporation Commission; requiring Corporation Commission review rates for consensual tows; authorizing modification of rates after notice and hearing; requiring at review at least every two years; providing for use of expert witness to make evaluation and provide recommendations; requiring

1 certain notice of recommendation; requiring expert  
2 witness fees be added to assessment of annual fees;  
3 and providing an effective date.  
4

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

6 SECTION 1. AMENDATORY 47 O.S. 2021, Section 953.1, is  
7 amended to read as follows:

8 Section 953.1. A. The rates established by the Corporation  
9 Commission shall determine the nonconsensual tow maximum fees and  
10 charges for wrecker or towing services performed in this state,  
11 including incorporated and unincorporated areas, by a wrecker or  
12 towing service licensed by the Department of Public Safety when that  
13 service appears on the rotation log of the Department or on the  
14 rotation log of any municipality, county or other political  
15 subdivision of this state, and the services performed are at the  
16 request or at the direction of any officer of the Department or of a  
17 municipality, county, or political subdivision. No wrecker or  
18 towing service in the performance of transporting or storing  
19 vehicles or other property towed as a result of a nonconsensual tow  
20 shall charge any fee which exceeds the maximum rates established by  
21 the Commission. Such rates shall be in addition to any other rates,  
22 fees or charges authorized, allowed or required by law and costs to  
23 collect such fees. Any wrecker or towing service is authorized to  
24 collect from the owner, lienholder, agent or insurer accepting

1 liability for paying the claim for a vehicle or purchasing the  
2 vehicle as a total loss vehicle from the registered owner of any  
3 towed or stored vehicle, the fee required by Section 904 of this  
4 title including environmental remediation fees and services.

5 B. When wrecker or towing services are performed as provided in  
6 subsection A of this section:

7 1. Each performance of a wrecker or towing service shall be  
8 recorded by the operator on a bill or invoice as prescribed by rules  
9 of the Department and by order of the Commission;

10 2. Nothing herein shall limit the right of an operator who has  
11 provided or caused to be provided wrecker or towing services to  
12 require prepayment, in part or in full, or guarantee of payment of  
13 any charges incurred for providing such services;

14 3. This section shall not be construed to require an operator  
15 to charge a fee for the performance of any wrecker or towing  
16 services; and

17 4. The operator is authorized to collect all lawful fees from  
18 the owner, lienholder or agent or insurer accepting liability for  
19 paying the claim for a vehicle or purchasing the vehicle as a total  
20 loss vehicle from the registered owner of the towed vehicle for the  
21 performance of any and all such services and costs to collect such  
22 fees. An operator shall release the vehicle from storage upon  
23 authorization from the owner, agent or lienholder of the vehicle or,  
24 in the case of a total loss, the insurer accepting liability for

1 paying the claim for the vehicle or purchasing the vehicle where the  
2 vehicle is to be moved to an insurance pool yard for sale.

3 ~~C. The rates in subsections D through G of this section shall~~  
4 ~~be applicable until superseded by rates established by the~~  
5 ~~Commission.~~

6 ~~D. Distance rates.~~

7 ~~1. Rates in this subsection shall apply to the distance the~~  
8 ~~towed vehicle is transported and shall include services of the~~  
9 ~~operator of the wrecker vehicle. Hourly rates, as provided in~~  
10 ~~subsection E of this section, may be applied in lieu of distance~~  
11 ~~rates. Hourly rates may be applied from the time the wrecker~~  
12 ~~vehicle is assigned to the service call until the time it is~~  
13 ~~released from service either upon return to the premises of the~~  
14 ~~wrecker or towing service or upon being assigned to perform another~~  
15 ~~wrecker or towing service, whichever occurs first. When the hourly~~  
16 ~~rate is applied in lieu of distance towing rates, the operator may~~  
17 ~~not apply the two-hour minimum prescribed in subsection E of this~~  
18 ~~section nor may hookup or mileage charges, as prescribed in this~~  
19 ~~section, be applied.~~

20 ~~Such distance rates shall be computed via the shortest highway~~  
21 ~~mileage as determined from the latest official Oklahoma Department~~  
22 ~~of Transportation state highway map, except as follows:~~

- 23 ~~a. for distances or portions of distances not~~  
24 ~~specifically provided for in the governing highway~~

~~map, the actual mileage via the shortest practical route will apply,~~

~~b. in computing distances, fractions of a mile will be retained until the final and full mileage is determined, at which time any remaining fraction shall be increased to the next whole mile,~~

~~c. when, due to circumstances beyond the control of the wrecker or towing service, roadway conditions make it impractical to travel via the shortest route, distance rates shall be computed based on the shortest practical route over which the wrecker vehicle and the vehicle it is towing can be moved, which route shall be noted on the bill or invoice, or~~

~~d. when the wrecker or towing service is performed upon any turnpike or toll road, the turnpike or toll road mileage shall be used to determine the distance rates charged and the turnpike or toll road fees may be added to the bill or invoice.~~

~~2. Maximum distance rates shall be as follows:~~

<del>Weight of Towed Vehicle</del>	<del>Distance</del>	<del>Rate</del>
<del>(In pounds, including</del>	<del>Towed</del>	<del>Per</del>
<del>equipment and lading)</del>		<del>Mile</del>
<del>Single vehicle: 8,000 or less</del>	<del>25 miles or less</del>	<del>\$3.00</del>
<del>Single vehicle: 8,000 or less</del>	<del>Over 25 miles</del>	<del>\$2.50</del>

1	<del>Single vehicle: 8,001 to 12,000</del>	<del>25 miles or less</del>	<del>\$3.40</del>
2	<del>Single vehicle: 8,001 to 12,000</del>	<del>Over 25 miles</del>	<del>\$3.00</del>
3	<del>Single vehicle: 12,001 to 40,000</del>	<del>Any</del>	<del>\$5.75</del>
4	<del>Single vehicle: 40,000 or over</del>	<del>Any</del>	<del>\$6.75</del>
5	<del>Combination of vehicles</del>	<del>Any</del>	<del>\$6.75</del>

6       ~~E.~~ Hourly Rates.

7           1. Rates in this subsection shall apply for the use of a  
8 wrecker vehicle and shall include services of the operator of such  
9 wrecker, ~~except as provided in paragraph 4 of this subsection.~~  
10 Rates shall apply for all wrecker or towing services performed ~~that~~  
11 ~~are not otherwise provided for in this section, including, but not~~  
12 ~~limited to, waiting and standby time, but shall not include the~~  
13 ~~first fifteen (15) minutes of service following the hookup of a~~  
14 ~~vehicle when a hookup fee is assessed, as provided in subsection F~~  
15 ~~of this section.~~

16           Hourly rates shall apply from the time the vehicle or labor is  
17 assigned to the service call until the time it is released from  
18 service either upon return to the premises of the wrecker or towing  
19 service or upon being assigned to perform another wrecker or towing  
20 service, whichever occurs first. ~~Whenever a wrecker vehicle is used~~  
21 ~~to tow a vehicle subject to distance rates, as provided in~~  
22 ~~subsection D of this section, hourly rates shall apply only for the~~  
23 ~~time such wrecker is used in the performance of services other than~~  
24 ~~transportation, except when such hourly rates are used in lieu of~~

1 ~~such distance rates.~~ A wrecker or towing service shall maintain  
2 sufficient documentation to establish when the hourly rate begins  
3 and ends. The hourly rates established in this subsection shall be  
4 modified annually based on the year-to-year percentage change of the  
5 Bureau of Labor Statistics Consumer Price Index. The Corporation  
6 Commission shall make the calculation for new hourly rates and  
7 notify all wreckers and towing services eligible to perform  
8 nonconsensual towing services of the new rates. The rate  
9 calculation may be subject to amendment upon application before the  
10 Commission showing good cause that the calculation was made in  
11 error. New rates, as calculated by the Commission, shall supersede  
12 the hourly rates in this subsection starting on November 1, 2026.

13 As used in this subsection, rates stated per hour apply for  
14 whole hours and, for fractions of an hour, rates stated per fifteen  
15 (15) minutes apply for each fifteen (15) minutes or fraction thereof  
16 over seven and one-half (7 1/2) minutes. However, if the service  
17 subject to an hourly rate is performed in less than two (2) hours,  
18 the charge applicable for two (2) hours ~~may~~ shall be assessed,  
19 ~~except as provided for in subsection D of this section.~~

20 2. Maximum hourly rates for wrecker or towing services  
21 performed ~~for passenger vehicles, when rates for such services are~~  
22 ~~not otherwise provided for by law,~~ shall be as follows:

23	<del>Weight of Towed Passenger Vehicle</del>	<del>Rate Per</del>	<del>Rate Per</del>
24	<del>(In pounds)</del>	<del>Hour</del>	<del>15 Minutes</del>



1	<del>Single vehicle: 8,000 or less</del>	<del>\$60.00</del>	<del>\$15.00</del>
2	<del>Single vehicle: 8,001 to 24,000</del>	<del>\$80.00</del>	<del>\$20.00</del>
3	<del>Single vehicle: 24,001 to 44,000</del>	<del>\$120.00</del>	<del>\$30.00</del>
4	<del>Single vehicle: 44,001 or over</del>	<del>\$180.00</del>	<del>\$45.00</del>
5	<del>Combination of vehicles</del>	<del>\$180.00</del>	<del>\$45.00</del>

6       ~~3. Maximum hourly rates for all other wrecker or towing~~  
7 ~~services, when rates for such other services are not otherwise~~  
8 ~~provided for by law, shall be determined based upon the gross~~  
9 ~~vehicle weight rating of each wrecker vehicle used as follows:~~

10	<del>GVWR of Wrecker Vehicle</del>	<del>Rate Per</del>	<del>Rate Per</del>
11	<del>(In pounds)</del>	<del>Hour</del>	<del>15 Minutes</del>
12	<del>8,000 or less</del>	<del>\$60.00</del>	<del>\$15.00</del>
13	<del>8,001 to 24,000</del>	<del>\$80.00</del>	<del>\$20.00</del>
14	<del>24,001 to 44,000</del>	<del>\$120.00</del>	<del>\$30.00</del>
15	<del>44,001 or over</del>	<del>\$180.00</del>	<del>\$45.00</del>
16	<del>Combination wrecker vehicle</del>		
17	<del>with GVWR of 24,000 or over</del>	<del>\$180.00</del>	<del>\$45.00</del>

18       ~~4. a. Maximum hourly rates for extra labor shall be Thirty~~  
19 ~~Dollars (\$30.00) per person per hour.~~

20       ~~b. Maximum hourly rates for skilled or specialized labor~~  
21 ~~and/or equipment shall be the actual customary and~~  
22 ~~ordinary rates charged for such labor and/or~~  
23 ~~equipment. When skilled or specialized labor or~~  
24 ~~equipment is required, the wrecker operator's cost for~~

~~such skilled or specialized labor or equipment plus a  
twenty-five percent (25%) gross profit markup to cover  
overhead costs for such labor will be added to the  
invoice or freight bill to be collected in addition to  
all other applicable charges.~~

~~F. Hookup Rates.~~

~~1. Rates in this subsection shall apply to the hookup of a  
vehicle to a wrecker vehicle when such hookup is performed in  
connection with a wrecker or towing service described in this  
section. Such hookup rate shall include the first fifteen (15)  
minutes of such service, for which there shall be no additional fee  
charged, but shall not include the use of a dolly or rollback  
equipment or a combination wrecker vehicle to accomplish such  
hookup, for which an additional fee may be charged as provided in  
subsection G of this section. Hookup shall include, but not be  
limited to, the attachment of a vehicle to or the loading of a  
vehicle onto a wrecker vehicle.~~

~~2. Maximum hookup rates shall be as follows:~~

~~Weight of Vehicle Being Hooked Up~~

<del>(In pounds, including equipment and lading)</del>	<del>Rate</del>
<del>Single vehicle: 8,000 or less</del>	<del>\$65.00</del>
<del>Single vehicle: 8,001 to 12,000</del>	<del>\$75.00</del>
<del>Single vehicle: 12,001 to 24,000</del>	<del>\$85.00</del>

1 ~~Single vehicle: 24,001 or over~~ ~~\$95.00~~

2 ~~Combination of vehicles~~ ~~\$95.00~~

3 ~~G. Additional Service Rates.~~

4 ~~1. Rates in this subsection shall apply to the performance of~~  
5 ~~the following services:~~

6 ~~a. the disconnection and reconnection of a towed~~  
7 ~~vehicle's drive line when necessary to prevent~~  
8 ~~mechanical damage to such vehicle,~~

9 ~~b. the removal and replacement of a towed vehicle's axle~~  
10 ~~when necessary to prevent mechanical damage to such~~  
11 ~~vehicle, or~~

12 ~~c. the use of a dolly or rollback equipment when~~  
13 ~~essential to prevent mechanical damage to a towed~~  
14 ~~vehicle or when neither end of such vehicle is capable~~  
15 ~~of being towed safely while in contact with the~~  
16 ~~roadway.~~

17 ~~2. Maximum additional service rates shall be as follows:~~

18	<del>Weight of Towed</del>	<del>Service Performed</del>		
19	<del>Vehicle (In pounds,</del>	<del>Disconnect</del>	<del>Reconnect</del>	<del>Use of Dolly</del>
20	<del>including equipment</del>	<del>Drive Line;</del>	<del>Drive Line;</del>	<del>or Rollback</del>
21	<del>and lading)</del>	<del>Remove Axle</del>	<del>Replace Axle</del>	<del>Equipment</del>
22		<del>Rate Per Service Performed</del>		
23	<del>8,000 or less</del>	<del>\$10.00</del>	<del>\$15.00</del>	<del>\$25.00</del>
24	<del>8,001 to 12,000</del>	<del>\$15.00</del>	<del>\$20.00</del>	<del>\$30.00</del>

~~Rate Per 15 Minutes of Service Performed~~

~~12,001 or over                      \$20.00                      \$20.00                      Not applicable~~

~~H.~~

a.    for vehicles weighing twenty-six thousand (26,000)  
pounds or

less, the rate shall be One Hundred Ninety-nine Dollars  
(\$199.00) for each hour of service, with a two (2)  
hour minimum; and

b.    for vehicles weighing twenty-six thousand one (26,001)  
pounds or more, the rate shall be Two Hundred Ninety-  
nine Dollars (\$299.00) for each hour of service, with  
a two (2) hour minimum.

D. An operator shall be required to provide reasonable documentation to substantiate all lawful fees charged the owner, lienholder, agent or insurer paying the claim for the towed vehicle. Fees for which the operator is being reimbursed or having paid to a third party, shall include copies of the invoice or other appropriate documents to substantiate such payment to said third party.

~~I. Wrecker fees, including maximum distance, hourly, and hookup rates shall be adjusted weekly by adding a fuel surcharge as provided in this section. The fuel surcharge shall be based on the Department of Energy "weekly retail on-highway diesel prices" for the "Midwest region" using Two Dollars (\$2.00) per gallon as the~~

1 ~~base price with no fees added. The wrecker fees shall be adjusted~~  
2 ~~to allow a one-percent increase in fees for every ten-cent increase~~  
3 ~~in fuel cost starting at Two Dollars and ten cents (\$2.10) per~~  
4 ~~gallon.~~

5 ~~J.~~ E. When skilled or specialized labor or equipment is  
6 required, the cost incurred by the wrecker operator for such skilled  
7 or specialized labor or equipment plus an additional twenty-five  
8 percent (25%) gross profit markup or gross profit margin shall be  
9 allowed to cover overhead costs for such labor and will be added to  
10 the invoice or freight bill to be collected in addition to all other  
11 applicable charges. This applies to labor and equipment not  
12 regulated by the Commission.

13 ~~K.~~ F. Wrecker operators shall be allowed to obtain ownership  
14 and insurer information, including accident reports and other public  
15 records, from ~~the Oklahoma Tax Commission~~ Service Oklahoma or other  
16 states' motor vehicle agencies or from law enforcement agencies for  
17 the purpose of determining ownership and responsibility for wrecker  
18 fees. In the event a state of origin is not known, the Department  
19 of Public Safety and ~~the Oklahoma Tax Commission~~ Service Oklahoma  
20 shall assist in providing such information. The wrecker operator is  
21 authorized to collect lawful fees for such costs and services from  
22 the owner, lienholder that seeks possession of a vehicle under a  
23 security interest, agent, or insurer accepting liability for paying  
24

1 the claim for a vehicle or purchasing the vehicle as a total loss  
2 vehicle from the owner of any towed or stored vehicle.

3 SECTION 2. AMENDATORY 47 O.S. 2021, Section 953.2, as  
4 amended by Section 1, Chapter 316, O.S.L. 2023 (47 O.S. Supp. 2024,  
5 Section 953.2), is amended to read as follows:

6 Section 953.2. A. The rates established by order of the  
7 Corporation Commission shall determine the maximum fees and charges  
8 for the storage and after-hours release of nonconsensual towed  
9 vehicles, including incorporated and unincorporated areas, by a  
10 wrecker or towing service licensed by the Department of Public  
11 Safety and repair facilities as defined in Section 953 of Title 15  
12 of the Oklahoma Statutes. No wrecker or towing service or repair  
13 facilities shall charge any fee for nonconsensual towed vehicles and  
14 storage which exceeds the maximum rates established by the  
15 Commission. Such rates shall be in addition to any other rates,  
16 fees or charges authorized, allowed or required by law, including  
17 environmental remediation fees and services.

18 B. 1. Storage or after-hours release of a towed vehicle, or  
19 both, provided by a wrecker or towing service or by a repair  
20 facility shall be recorded by the operator on a bill or invoice as  
21 prescribed by rules of the Department.

22 2. Nothing herein shall limit the right of an operator or  
23 repair facility who has provided or caused to be provided storage or  
24 after-hours release of a towed vehicle, or both, to require

1 prepayment, in part or in full, or guarantee of payment of any  
2 charges incurred for providing such services.

3 3. This section shall not be construed to require an operator  
4 or repair facility to charge a fee for the storage or after-hours  
5 release, or both, of any towed vehicle.

6 4. The operator or repair facility is authorized to collect all  
7 lawful fees in acceptable forms of payment such as through check,  
8 credit card, automated clearing house transfer, or debit card from  
9 the owner, lienholder or agent of the towed vehicle or insurer  
10 accepting liability for paying the claim for a vehicle or purchasing  
11 the vehicle as a total loss vehicle from the registered owner for  
12 the performance of any and all such services. An operator or repair  
13 facility shall make the towed vehicle available for inspection by  
14 the owner, lien holder, agent of the towed vehicle, or insurer  
15 accepting liability for paying the claim for a vehicle and shall  
16 release the vehicle from storage upon authorization from the owner,  
17 agent or lienholder of the vehicle or in the case of a total loss,  
18 the insurer accepting liability for paying the claim for the vehicle  
19 or purchasing the vehicle where the vehicle is to be moved to an  
20 insurance pool yard for sale.

21 C. The rates in subsections D through F of this section shall  
22 be applicable until superseded by rates established by the  
23 Commission.

24 D. Outdoor Storage Rates.

1        1. Rates in this subsection shall apply to the outdoor storage  
2 of a towed vehicle. Rates may be applied from the time the towed  
3 vehicle is brought onto the outdoor storage facility premises.  
4 Rates shall apply to each calendar day of outdoor storage; provided,  
5 the maximum twenty-four-hour fee, as provided for in this section,  
6 may be charged for any towed vehicle which is stored for a portion  
7 of a twenty-four-hour period. The hourly rates established in this  
8 subsection shall be modified annually based on the year-to-year  
9 percentage change of the Bureau of Labor Statistics Consumer Price  
10 Index. The Corporation Commission shall make the calculation for  
11 new hourly rates and notify all wreckers and towing services  
12 eligible to perform nonconsensual towing services of the new rates.  
13 The rate calculation may be subject to amendment upon application  
14 before the Commission showing good cause that the calculation was  
15 made in error.

16        2. Maximum outdoor storage rates shall be as follows:

Type of Towed Vehicle	Rate per Each 24-hour Period or Portion Thereof
Single vehicle: motorcycle, automobile, or light truck up to 20 feet in length	<del>\$15.00</del> <u>\$23.94</u>
Single vehicle or combination of vehicles over 20 feet in length but less than 30 feet in length	<del>\$20.00</del> <u>\$31.92</u>



Single vehicle or combination of vehicles  
over 30 feet in length and up to 8 feet  
in width

~~\$25.00~~ \$39.90

Single vehicle or combination of vehicles  
over 30 feet in length and over 8 feet  
in width

~~\$35.00~~ \$55.86

E. Indoor Storage Rates.

1. Rates in this subsection shall apply to the indoor storage of a towed vehicle. Rates may be applied from the time the towed vehicle is brought into the indoor storage facility premises. Rates shall apply to each calendar day of indoor storage; provided, the maximum twenty-four-hour fee, as provided for in this section, may be charged for any towed vehicle which is stored for a portion of a twenty-four-hour period.

2. Maximum indoor storage rates shall be as follows:

Type of Towed Vehicle	Rate per Each 24-hour Period or Portion Thereof
Single vehicle: motorcycle, automobile, or light truck up to 20 feet in length	<del>\$25.00</del> <u>\$39.90</u>
Single vehicle or combination of vehicles over 20 feet in length but less than 30 feet in length	<del>\$30.00</del> <u>\$47.88</u>

1 Single vehicle or combination of vehicles

2 over 30 feet in length and up to 8 feet

3 in width ~~\$35.00~~ \$55.86

4 Single vehicle or combination of vehicles

5 over 30 feet in length and over 8 feet

6 in width ~~\$45.00~~ \$71.82

7 3. For purposes of this subsection, "indoor storage" means the  
8 vehicle is kept in an enclosed facility.

9 F. After-Hours Release Rate.

10 1. The rate in this subsection shall apply to the release of a  
11 towed vehicle to the owner, lienholder, or agent when such release  
12 occurs at a time other than normal business hours.

13 2. As used in this subsection:

14 a. "after-hours release rate" shall mean the rate charged  
15 for the release of a towed vehicle between the hours  
16 of midnight and 8:00 a.m., or between the hours of  
17 4:00 p.m. and midnight Monday through Friday, or any  
18 time on Saturday, Sunday or a national holiday, and

19 b. "national holiday" shall mean New Year's Day, Martin  
20 Luther King Day, George Washington's Birthday, on the  
21 third Monday in February, Memorial Day, Independence  
22 Day, Labor Day, Veterans Day, Thanksgiving Day and  
23 Christmas Day, and shall further include the Friday  
24 before such national holiday which falls on a Saturday

1                   and the Monday following such national holiday which  
2                   falls on a Sunday.

3           3.   The maximum after-hours release rate shall be Fifteen  
4 Dollars (\$15.00) per quarter hour for the release of any single  
5 vehicle or combination of vehicles.

6           G.   An operator or repair facility shall be required to provide  
7 reasonable documentation to substantiate all lawful fees charged the  
8 owner, lienholder, agent or insurer accepting liability for paying  
9 the claim for the towed vehicle or purchasing the towed vehicle.  
10 Fees for which the operator or repair facility is being reimbursed,  
11 or having paid to a third party, shall include copies of the invoice  
12 or other appropriate documents to substantiate the payment to the  
13 third party.

14           SECTION 3.       AMENDATORY       47 O.S. 2021, Section 966, is  
15 amended to read as follows:

16           Section 966.   A.   This act shall be known and may be cited as  
17 the "Nonconsensual Towing Act of 2011".

18           B.   The provisions of this act shall apply to every wrecker  
19 operating within the State of Oklahoma removing and storing vehicles  
20 from Oklahoma roads and highways or private property as a result of  
21 a nonconsensual tow.

22           C.   The Corporation Commission, by Commission order, shall have  
23 the power and authority necessary:  
24

1        1. To establish, supervise, and enforce wrecker rates for the  
2 transportation and storage of motor vehicles removed due to a  
3 nonconsensual tow from Oklahoma roads and highways or private  
4 property;

5        2. To supervise and enforce such rates; and

6        3. To mediate and adjudicate complaints that may arise from  
7 charges assessed as a result of such vehicle removal.

8        D. Rates as specified in Sections 953.1 and 953.2 of Title 47  
9 of the Oklahoma Statutes shall remain in effect until rates are  
10 established by order of the Commission.

11       E. Rates established by the Commission shall be fair and  
12 reasonable.

13       F. The Commission may assess fines or other penalties to any  
14 wrecker or towing service for failure to comply with prescribed  
15 rates as established by the Commission, failure to pay a levied  
16 assessment or comply with any applicable order of the Commission.  
17 Repeat violations by a wrecker or towing service are cause for  
18 revocation of its license issued by the Department of Public Safety.

19       G. The Department shall cooperate with the Commission to  
20 implement this act and may enter into agreements to facilitate this  
21 act.

22       H. The Corporation Commission shall review the rates wrecker  
23 and tow services companies may charge for nonconsensual tows and, if  
24 necessary, change the rates, following notice and hearing. This

1 review shall begin no later than two (2) years following the  
2 implementation of new rates resulting from the prior rate review  
3 case. The Commission shall engage an independent expert witness to  
4 evaluate the rates who shall provide recommendations to the  
5 Commission for rate adjustment by Commission Order. Notice of such  
6 recommendation shall be provided to the Governor, the President Pro  
7 Tempore of the Oklahoma State Senate, and the Speaker of the  
8 Oklahoma House of Representatives. The cost of the expert witness,  
9 as determined by the Commission, shall be added to the assessment of  
10 annual fees found in Section 967 of this title.

11 SECTION 4. This act shall become effective November 1, 2025.

12  
13 60-1-13377 JBH 03/25/25  
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