

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 232**  
98TH GENERAL ASSEMBLY

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Reported from the Committee on Transportation, Infrastructure and Public Safety, April 2, 2015, with recommendation that the Senate Committee Substitute do pass.

1208S.02C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal section 304.154, RSMo, and to enact in lieu thereof one new section relating to tow truck operations.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 304.154, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.154, to read as follows:

304.154. 1. [Beginning January 1, 2005,] A towing company operating a tow truck pursuant to the authority granted in section **304.153**, 304.155, or 304.157 shall:

(1) Have and occupy a verifiable business address **and display such address in a location visible from the street or road;**

(2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles, **with a total area for storing vehicles, either inside or outside, of at least two thousand square feet and fencing a minimum of seven feet high;**

(3) **Be open for a minimum of eight hours per day between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday for a customer or his authorized agent to view and retrieve a vehicle, with no additional fees charged to view or retrieve a vehicle during these regular business hours;**

(4) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

(5) **Have and maintain an operational telephone with the**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 **telephone number published or available through directory assistance;**

20        ~~[(4)]~~ **(6)** Maintain a valid insurance policy issued by an insurer  
21 authorized to do business in this state, or a bond or other acceptable surety  
22 providing coverage for the death of, or injury to, persons and damage to property  
23 for each accident or occurrence in the amount of at least five hundred thousand  
24 dollars per incident;

25        ~~[(5)]~~ **(7)** Provide workers' compensation insurance for all employees of the  
26 towing company if required by chapter 287; and

27        ~~[(6)]~~ **(8)** Maintain current motor vehicle registrations on all tow trucks  
28 currently operated within the towing company fleet.

29        **2. The initial tow performed under sections 304.153, 304.155, or**  
30 **304.157 shall remain in the state of Missouri unless authorized by the**  
31 **vehicle owner or their agent.**

32        **3. Tows performed under section 304.155 shall not be dispatched**  
33 **through a third party dispatch system or management company, unless**  
34 **hired by the towing company. The provisions of this subsection shall**  
35 **not apply to any home rule city with more than four hundred thousand**  
36 **inhabitants and located in more than one county.**

37        **4. Counties may adopt ordinances with respect to towing company**  
38 **standards in addition to the minimum standards contained in this section. A**  
39 **towing company located in a county of the second, third, [and] or fourth**  
40 **classification or located in any county of the first classification with**  
41 **more than one hundred one thousand but fewer than one hundred**  
42 **fifteen thousand inhabitants is exempt from the provisions of this section.**

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