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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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DIGEST

SB 263 Original

2026 Regular Session

Owen

Present law provides for the owner of the towing, storage, or parking facility to send notice with a certificate of mailing to the owner of the vehicle at the owner's last known address and to the holder of any lien on the vehicle within 10 business days from the date the department or its authorized agent sends the owner information of the stored vehicle to the owner of the towing, storage, or parking facility. Present law further provides when the department sends the information electronically, the owner of the towing, storage, or parking facility will send notice within five business days. Proposed law retains present law and changes from 10 business days to five business days.

Proposed law retains present law and requires that within five business days of obtaining a vehicle, the owner of the towing, storage, or parking facility perform a good faith effort to establish the state of registration and title of a vehicle by examining the Louisiana Office of Motor Vehicle's database, the electronic National Motor Vehicle Title Information System or an equivalent to determine the state of registration; the vehicle for any type of tag, tag record, temporary tag, regular tag, an inspection sticker or other stickers and decals that may indicate a state of possible registration; the law enforcement report to determine whether an out-of-state address is indicated, a tag number or other information identifying the vehicle; the trip sheet or tow ticket; and when the vehicle is unlocked, the interior of the vehicle for any papers that may be in the glove box, trunk, or other areas for a state of registration.

Proposed law provides for technical changes.

Proposed law provides for prohibition on storage charges when it has been determined a good faith effort to comply with notice requirements was not adhered to.

Proposed law provides for evidence of a persons interest when surrendering a stored vehicle to owner or lienholder including electronic title, paper title, a contract between a lender and the owner of the vehicle, a contract between a lessor and the lessee of the vehicle, credentials establishing the person as an employee or contract agent of an insurance company, a written agreement evidencing that the person is an agent of the vehicle owner or lienholder.

Present law provides when a vehicle placed in a storage facility or a repair or body shop is encumbered by a lien, and the storage or repair or body shop operator mails the notification to the storage or repair or body shop operator shall surrender possession of the vehicle to the holder of any lien on the vehicle on behalf of the registered owner. Present law further provides the holder of any lien on the vehicle is the holder shown on the records of the office of motor vehicles and surrender

does not occur until the secured party makes a complete payment of the towing and storage charges and executes a hold harmless agreement, agreeing to indemnify the storage or repair or body shop operator for surrender of the vehicle.

Proposed law retains present law and adds that when surrendering the vehicle, a towing-storage operator must provide an itemized invoice containing:

- (1) The date and time the vehicle was towed.
- (2) The location to which the vehicle was towed.
- (3) The name, address, and telephone number of the towing-storage operator.
- (4) A description of the towed vehicle, including the color, make, model, model year, and vehicle identification number.
- (5) The license plate number and state of registration for the towed vehicle.
- (6) The cost of the initial towing service.
- (7) The cost of any storage fees, expressed as a per day rate and total cost.
- (8) Other fees, including administrative fees, vehicle search fees, fees for hazardous material and nonhazardous material cleanup, and fees for labor.
- (9) A list of the services that were performed under a warranty or that were otherwise performed at no cost to the owner of the vehicle.

Proposed law further provides that a towing-storage operator will permit vehicle owners, lienholders, insurance company representatives, or their agents whose interest in the vehicle is evidenced, to inspect the towed vehicle and release to the owner, lienholder, or agent of the vehicle all personal property in the vehicle when the vehicle was taken by the storage operator.

Proposed law further provides the inspection and release of the vehicle within one hour after presentation of any of the required documents during normal business hours at the site where the vehicle is stored.

Proposed law further provides that a rental vehicle agreement is not evidence that the person who rented a vehicle is an agent of the rental vehicle owner for the purpose of releasing the vehicle.

Proposed law provides, a towing-storage operator must release to the renter of a rental vehicle all personal property belonging to the renter within one hour after the renter's arrival.

Effective August 1, 2026.

(Amends R.S. 32:1720 and 1720.1)