

ACT No. 440

2026 Regular Session

HOUSE BILL NO. 728

BY REPRESENTATIVE BRAUD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

AN ACT

To amend and reenact R.S. 32:1715(A), (C)(1), (2) and (4)(introductory paragraph) and (b) and 1736(A), (C), (D), and (E) and to enact R.S. 32:1715(D) and (E) and 1736(F) and (G), relative to requirements of out-of-state tow trucks conducting intrastate towing and implementing signage requirements on private properties; to provide for registration and authority requirements; to provide for signage requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1715 (A), (C)(1), (2) and (4)(introductory paragraph) and (b) and 1736(A), (C), (D), and (E) are hereby amended and reenacted and R.S. 32:1715(D) and (E) and 1736(F) and (G) are hereby enacted to read as follows:

§1715. Towing of motor vehicles in the state of Louisiana

A. It shall be unlawful for any tow truck or carrier to tow or to carry a vehicle on the highways and roadways of the state of Louisiana without the towing vehicle or carrier having displayed a Louisiana towing license plate and complying with the rules and regulations adopted pursuant to this Chapter.

* * *

C. This Section shall not apply to:

(1) Car carriers operating within this state under interstate commerce, that are capable of carrying five or more vehicles, ~~and have Interstate Commerce Commission authority~~ are registered with the Federal Motor Carrier Safety Administration, and possess a valid United States Department of Transportation Number.

1 ~~C. D.~~(1) Property owners who tow unauthorized vehicles from their property
2 or parking areas shall place approved TRU signage in clearly visible locations at the
3 entrances and exits to such property warning motorists that unauthorized vehicles
4 may be towed. If the property has specific reserved or further restricted parking
5 areas or parking spaces where vehicles are subject to be towed, the specific parking
6 area or parking space that a vehicle is subject to be towed from must also be clearly
7 marked warning the motorist their vehicle may be towed. Such warning shall
8 include signage in each designated parking area or the marking of the individual
9 parking spaces in these specific parking areas. A property owner or his authorized
10 representative who enters into contracts or agreements with a tow truck company to
11 engage in tow-related services and activities shall place signage in clearly visible
12 locations at the entrances and exits to such property or parking areas warning
13 motorists that unauthorized vehicles may be towed. ~~The signage shall include the~~
14 ~~name, address, and phone number of the towing company in lettering no less than~~
15 ~~two inches in height.~~

16 (2) Tow truck company owners and drivers shall ensure that the property,
17 parking areas, and spaces are clearly marked in accordance with this Section prior
18 to the removal of any vehicle. Additionally, a copy of the written contract or
19 agreement entered into between the property owner or his authorized representative
20 and the tow truck company shall be maintained at the business office of the property
21 owner and the business office of the tow truck company and in the tow truck.

22 (3) The written contract or agreement shall define the parking rules and
23 reasons for towing. The written contract or agreement shall be dated and signed by
24 all parties and include telephone contact numbers for the property owner or their
25 authorized agent and the tow truck company owner, or their authorized agent. The
26 written contract or agreements shall indicate the starting date of the towing service,
27 and the specific date of termination of such agreement. The written contracts or
28 agreements shall expire annually at 11:59 a.m. on June thirteenth of each year. The
29 contracts or agreements shall include specific causes that would constitute a
30 nonconsensual tow from the property. The contracts or agreements are

1 nontransferable and all contractual agreements shall be with the current owner or the
 2 current owner's designee.

3 (4) Property owners meeting the requirements of this Subsection shall not
 4 be required to tag a motor vehicle for removal or sign the billing invoice prior to
 5 towing.

6 ~~D. E.~~ E. All fees charged by a tow truck operator for the nonconsensual towing
 7 of a vehicle from private property or parking areas shall be uniform and shall be set
 8 in accordance with rules and regulations promulgated by the Louisiana Public
 9 Service Commission. If the tow truck operator charges any fee in excess of the
 10 uniform fee, the owner of the motor vehicle shall have a right and cause of action to
 11 recover the amount of the excess fee, storage costs, if applicable, reasonable attorney
 12 fees, and all court costs. The provisions of this Section shall be enforced by all state
 13 and local law enforcement officers and duly appointed officers of the Louisiana
 14 Public Service Commission. Tow truck operators shall make billing invoices
 15 available for inspection upon request by any law enforcement officer or duly
 16 appointed officer of the Louisiana Public Service Commission and shall provide such
 17 officers with a copy of any billing invoice, any contract for services, or the name,
 18 address, and phone number of any property owner or authorized representative.

19 ~~E. F.(1) Any A~~ A tow truck operator, owner, or company representative ~~who~~
 20 ~~fails to comply with the provisions of this Section, who fails to provide a billing~~
 21 ~~invoice which contains the information required by this Section to the redeemer of~~
 22 ~~the motor vehicle, or who tows a vehicle in violation of this Section~~ shall be in
 23 violation of the provisions of R.S. 14:68.4 and shall be subject to any applicable
 24 penalty prescribed by law, including but not limited to the revocation of the towing
 25 license~~;~~, storage license, or both, if he does any of the following:

- 26 (a) Fails to comply with the provisions of this Section.
- 27 (b) Fails to provide to the redeemer of the motor vehicle a billing invoice
 28 which contains the information required by this Section.
- 29 (c) Tows a vehicle in violation of this Section.

1 (2) Lack of knowledge of the conduct of a tow truck company employee
2 shall not be a defense for the tow truck company owner.

3 G. The office of state police, in accordance with the Administrative
4 Procedure Act, may adopt all rules as necessary to implement the provisions of this
5 Chapter.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____