

RÉSUMÉ DIGEST

ACT 440 (HB 728)

2026 Regular Session

Braud

Existing law (R.S. 32:1715(A)) prohibits any tow truck or carrier to tow or to carry a vehicle on the hwy. and roadways of the state of La. without the towing vehicle or carrier having displayed a towing license plate and complying with the rules and regulations adopted in existing law.

New law retains existing law and adds that a La. towing license plate must be displayed.

Prior law (R.S. 32:1715(C)) provided the following exceptions to existing law:

- (1) Car carriers that are capable of carrying five or more vehicles and have Interstate Commerce Commission authority.
- (2) Tow trucks that are registered in another state with Interstate Commerce Commission authority.
- (3) Tow trucks that are owned by a governmental entity and not used for commercial purposes.
- (4) Tow trucks that are owned by an owner of a garage, automotive mechanic shop, or other place where vehicles are repaired, are operated by an employee or an owner of such a shop, and are operated solely to transport motor vehicles to such shop for maintenance or repair work, but only when such owners or operators:
 - (a) Have insurance coverage as required by existing law.
 - (b) Obtain the license plate as required by existing law.
 - (c) Cannot respond to accident scenes or participate in a police rotation system or conduct private property tows.
 - (d) Cannot offer towing services for hire or store any motor vehicles.

New law retains portions of prior law and modifies others as follows:

- (1) Removes the Interstate Commerce Commission Authority specification. Further specifies that car carries capable of carrying five or more vehicles may operate within the state under interstate commerce, but must be registered with the Federal Motor Carrier Safety Administration, and possess a valid U.S. Dept. of Transportation Number.
- (2) Removes the Interstate Commerce Commission Authority specification. Further allows tow trucks that are registered in another state to operate under interstate commerce provided the trucks are registered with the Federal Motor Carrier Safety Administration, and possess a valid U.S. Dept. of Transportation Number.
- (3) Specifies that existing law only applies to tow trucks registered in La.

New law (R.S. 32:1715(D)) prohibits tow trucks registered in other states that are registered with the Federal Motor Carrier Safety Administration and possess a valid U.S. Dept. of Transportation Number from engaging in intrastate towing operations, without a La. towing license plate.

New law (R.S. 32:1715(E)) requires tow trucks operating in interstate commerce in the state provide documentation to the office of state police, including but not limited to a bill of lading that proves the carrier's fixed and persistent predetermined intent of interstate commerce transport at the time of dispatch prior to entry into the state. Further requires the documentation include the following:

- (1) The vehicle identification number of the vehicles being transported.

- (2) The address of the consignor and consignee.
- (3) The original location and destination of the vehicles being transported.

Existing law (R.S. 32:1736(A)) defines relevant terms.

New law adds the term "Approved TRU signage" and defines it as signage approved by the La. State Police Towing and Recovery Unit that meets the specifications set forth by the unit.

New law adds the term "TRU" and defines it as the La. State Police Towing and Recovery Unit.

Existing law (R.S. 32:1736(C)) requires property owners who tow unauthorized vehicles from their property or parking areas to place clearly visible signage at the entrances and exits of the property or parking areas warning motorists that unauthorized vehicles may be towed.

New law relocates existing law and adds a requirement that the TRU promulgate rules related to marking parking spaces and areas, including the use of signs or other markings.

Prior law required that the signage include the name, address, and phone number of the towing company in lettering no less than two inches in height.

New law removes prior law.

Existing law requires that written contracts or agreements define the parking rules and reasons for towing. Further requires the written contracts and agreements indicate the starting date and termination date of the agreement.

New law requires that all written contracts or agreements expire annually at 11:59 a.m. on June 13th of each year. Further requires that the contracts and agreements include specific causes that would constitute a nonconsensual tow from the property. Additionally specifies that the contracts and agreements are nontransferable and all contractual agreements must be with the current owner or current owner's designee.

Existing law (R.S. 32:1736(E)) specifies that any tow truck operator who fails to comply with existing law, provide a billing invoice containing the information required by existing law to the redeemer of the vehicle, or tows a vehicle in violation of existing law will be in violation of the unauthorized use of a movable and subject to the applicable penalty, including but not limited to revocation of the towing license.

New law modifies existing law by including that owners and company representatives are subject to new law; retains the violation within existing law, but adds that a storage license may also be revoked and eliminates the provisions that constitute failures to comply with existing law and replaces it with the following:

- (1) Fails to comply with the provisions of existing law and new law.
- (2) Fails to provide a billing invoice which contains the information required by existing law and new law to the redeemer of the motor vehicle.
- (3) Tows a vehicle in violation of existing law and new law.

New law authorizes the office of state police to adopt all rules necessary to implement new law.

Effective August 1, 2026.

(Amends R.S. 32:1715(A), (C)(1), (2) and (4)(intro.para.) and (b) and 1736(A), (C), (D), and (E); Adds R.S. 32:1715(D) and (E) and 1736(F) and (G))