

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 497

BY BUSINESS COMMITTEE

AN ACT

RELATING TO TOWING AND STORAGE OF MOTOR VEHICLES; AMENDING SECTION 49-1803A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REMOVAL OF VEHICLES AND THE NOTICE OF THE TOWING AND STORAGE OF A MOTOR VEHICLE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-1803A, Idaho Code, be, and the same is hereby amended to read as follows:

49-1803A. REMOVAL OF ACCIDENTS -- DRIVER ARRESTS -- VEHICLES FOUND UNDER EXTRAORDINARY CIRCUMSTANCES. (1) Any authorized officer ~~directing who dispatches a call to request~~ the removal of a vehicle under the authority of this chapter, or the provisions of section 49-662, Idaho Code, as the result of an accident, the driver being arrested or extraordinary circumstances, may cause the vehicle to be placed in the custody of a tow truck operator, all expenses of towing and storage to be those of the registered owner, unless the registered owner has filed a release of liability according to the provisions of section 49-526, Idaho Code, in which case the purchaser or other transferee recorded on the release of liability statement shall be presumed responsible and liable.

(2) At the time of removal, the authorized officer shall complete a notice form containing, but not limited to, the following:

- (a) Name and addresses of registered owner and lienholder;
- (b) Complete vehicle description, including license plate number and vehicle identification number;
- (c) Date, time and reason for tow;
- (d) Law enforcement agency directing tow and case number assigned;
- (e) Appraisal value of vehicle and daily storage rate;
- (f) Authorized officer name or badge number;
- (g) Name, address and telephone number of towing company;
- (h) Signature of tow truck operator taking receipt of vehicle and contents.

(3) A copy of this notice shall be provided to the legal or registered owner at the scene, or may be mailed by first class mail within ~~ninety-six~~ ~~seventy-two~~ (96/72) hours, excluding weekends and holidays. A copy of this notice shall also be mailed by first class mail to any lienholder within ~~seventy-two~~ (72) hours, excluding weekends and holidays. This notification shall be in addition to all notices required for vehicle disposal procedures contained in this chapter.