

Storage and Towing Fees for Automotive Repair Dealers

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Bureau of Automotive Repair

Purpose of Proposed Regulation

- Clarify BAR's authority to address storage fee issues as provided by AB 1263 (Berman, Chapter 681, Statutes of 2023)
- Codify BAR's guidance to the automotive repair industry regarding storage fees
- Bring together, under one unified regulation, existing laws governing storage fees in the Business and Professions Code, Civil Code, and Vehicle Code

Renewal of Automotive Repair Dealer Registration - §3351.2

The proposed regulations will add a new subdivision (c) to:

- Require Automotive Repair Dealers (ARD) that charge storage fees, resulting from an accident or theft recovery, to report their daily storage rate to BAR for the renewal period of the ARD registration
- Provide direction on the factors for ARDs to consider when establishing their daily storage rate(s)

General Requirements - §3351.8.1

The proposed regulations:

- Clarify that storage fees may be assessed prior to any authorized repairs when an ARD :
 - Is unable to contact the customer; or
 - Deems a vehicle unreparable
- Provide consumer and third-party payor access to a stored vehicle
- Require ARDs to accept multiple payment methods
- Require vehicle storage at the ARD's business and specify what an ARD must do when storing the vehicle at another location
- Create a process for BAR to post average daily storage rates for a given locale

Repair Transactions - §3351.8.2

The proposed regulations:

- Clarify that storage fees cannot be assessed while a vehicle is undergoing repairs
- Establish what an ARD must do to charge storage fees after the completion of repairs
- Require storage fees resulting from an accident or theft recovery to be charged in accordance with Vehicle Code section 22524.5
- Require additional storage fee notifications when providing a tear down estimate
- Require an itemized invoice of storage fees when charged

Towing and Storage Fees (No Repairs) - §3351.9

The proposed regulations require:

- Require any towing and storage fees, resulting from an accident or theft recovery, be charged in accordance with Vehicle Code section 22524.5
- Require an itemized invoice of towing fees when charged
- Require ARDs that directly provide towing post the *Towing and Storage Fees Access Notice* required by Vehicle Code section 22651.07
- Require ARDs that contract for towing services provide the notice upon request

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