

2026 Regular Session

HOUSE BILL NO. 728

BY REPRESENTATIVE BRAUD

MTR VEHICLE/TOWING: Establish regulations for intrastate towing by out-of-state operators and implement uniform signage for private property towing throughout the state

1 AN ACT

2 To amend and reenact R.S. 32:1715(A), (C)(1), (2) and (4)(introductory paragraph) and (b)

3 and 1736(A), (C), (D), and (E) and to enact R.S. 32:1715(D) and (E) and 1736(F)

4 and (G), relative to requirements of out-of-state tow trucks conducting intrastate

5 towing and implementing signage requirements on private properties; to provide for

6 registration and authority requirements; to provide for signage requirements; and to

7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:1715 (A), (C)(1), (2) and (4)(introductory paragraph) and (b) and

10 1736(A), (C), (D), and (E) are hereby amended and reenacted and R.S. 32:1715(D) and (E)

11 and 1736(F) and (G) are hereby enacted to read as follows:

12 §1715. Towing of motor vehicles in the state of Louisiana

13 A. It shall be unlawful for any tow truck or carrier to tow or to carry a

14 vehicle on the highways and roadways of the state of Louisiana without the towing

15 vehicle or carrier having displayed a Louisiana towing license plate and complying

16 with the rules and regulations adopted pursuant to this Chapter.

17 * * *

18 C. This Section shall not apply to:

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

6 (2) Tow trucks that are registered in another state ~~with Interstate Commerce~~
7 ~~Commission authority~~ that are registered with the Federal Motor Carrier Safety
8 Administration, and possess a valid United States Department of Transportation
9 Number to operate within this state under interstate commerce.

10 * * *

11 (4) Tow trucks registered in Louisiana that are owned by an owner of a
12 garage, automotive mechanic shop, or other place where motor vehicles are repaired,
13 are operated by an employee or an owner of such a shop, and are operated solely to
14 transport motor vehicles to such shop for maintenance or repair work, but only when
15 ~~such owners or operators~~ the tow trucks:

16 * * *

17 (b) Obtain ~~the~~ a Louisiana license plate as required by this Chapter.

18 * * *

19 D. Tow trucks that are registered in another state and require registration
20 within the Federal Motor Carrier Safety Administration, and possess a valid United
21 States Department of Transportation Number, are prohibited from engaging in
22 intrastate towing operations within the state of Louisiana. Tow trucks operating in
23 intrastate commerce in the state are required to obtain a Louisiana towing license
24 plate.

25 E. A tow truck operating in interstate commerce in this state shall provide
26 documentation to the office of state police, including but not limited to a bill of
27 lading that proves the carrier's fixed and persistent predetermined intent of interstate
28 commerce transport at the time of dispatch prior to entry into the state. The
29 documentation shall include the following:

30 (1) The vehicle identification number of all vehicles being transported.

1 (2) The address of the consignor and consignee.

2 (3) The original location and destination of the vehicles being transported.

3 * * *

4 §1736. Towing of motor vehicles from private property; definitions; billing
5 invoices; uniform fees; penalties

6 A. For purposes of this Section, the following terms ~~shall~~ have the ~~meaning~~
7 ~~indicated unless the context clearly indicates otherwise~~ following meanings:

8 (1) "Approved TRU signage" shall mean signage approved by the Louisiana
9 State Police Towing and Recovery Unit that meets the specifications set forth by the
10 unit.

11 ~~(1)~~ (2) "Authorized representative" shall mean an individual that a property
12 owner has delegated or inferred managerial responsibilities to regarding a particular
13 property or premise. An authorized representative shall not be a tow truck owner or
14 operator.

15 ~~(2)~~ (3) "Parking space" shall mean the designated location in a parking area
16 for the parking of a single vehicle.

17 ~~(3)~~ (4) "Parking areas" shall mean areas used by the public as a means of
18 access to and egress from, and for the parking of motor vehicles by patrons of a
19 shopping center, business, factory, hospital, or institution. "Parking areas" shall also
20 include housing and apartment complexes, private or public institutions of learning,
21 and other similar locations.

22 ~~(4)~~ (5) "Tagged for removal" shall mean the placement of a highly visible
23 sticker or other similar tag, which contains the date, time, name of the tow company
24 authorized to remove the vehicle, and the printed name and signature of the property
25 owner or his authorized representative, in a conspicuous place on the motor vehicle
26 by the property owner or his authorized representative. Such stickers or tags shall
27 be clearly visible to drivers of passing vehicles and shall not damage, harm, or
28 otherwise alter the appearance of the motor vehicle.

29 (6) "TRU" shall mean the Louisiana State Police Towing and Recovery Unit.

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 C. The TRU shall promulgate rules related to the marking of parking spaces
2 and areas, including the use of signs or other markings.

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

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

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

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1 contracts or agreements shall include specific causes that would constitute a
2 nonconsensual tow from the property. The contracts or agreements are
3 nontransferable and all contractual agreements shall be with the current owner or the
4 current owner's designee.

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

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

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

28 (a) Fails to comply with the provisions of this Section.

29 (b) Fails to provide to the redeemer of the motor vehicle a billing invoice
30 which contains the information required by this Section.

- 1 (c) Tows a vehicle in violation of this Section.
- 2 (2) Lack of knowledge of the conduct of a tow truck company employee
- 3 shall not be a defense for the tow truck company owner.
- 4 G. The office of state police, in accordance with the Administrative
- 5 Procedure Act, may adopt all rules as necessary to implement the provisions of this
- 6 Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 728 Reengrossed

2026 Regular Session

Braud

Abstract: Provides for certain requirements of out-of-state tow trucks conducting intrastate towing and implements signage requirements on private property.

Present 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 present law.

Proposed law retains present law and adds that a La. towing license plate must be displayed.

Present law (R.S. 32:1715(C)) provides the following exceptions to present 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 present law.
 - (b) Obtain the license plate as required by present 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.

Proposed law retains present law but modifies the following:

- (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 interstate commerce provided the trucks are registration with the Federal Motor Carrier Safety Administration, and possess a valid U.S. Dept. of Transportation Number.
- (3) Retains present law.
- (4) Specifies only tow trucks registered in La.

Proposed 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.

Proposed 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.

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

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

Proposed law adds "TRU" and defines this as the La. State Police Towing and Recovery Unit.

Present 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. Further requires that the signage must include the name, address, and phone number of the towing company in lettering no less than two inches in height.

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

Proposed law removes the requirement that the sign show the name, address, and phone number of the towing company in lettering no less than two inches in height.

Proposed 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.

Proposed 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.

Present law (R.S. 32:1736(E)) specifies that any tow truck operator who fails to comply with present law, provide billing invoice containing the information required by present law to the redeemer of the vehicle, or tows a vehicle in violation of present 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.

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

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

Proposed law authorizes the office of state police to adopt all rules necessary to implement proposed law.

(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))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make a technical change.