

DEALER ALERT

TO: Clients
FROM: Sam Celly, BChE, MChE, JD, CSP
DATE: January 26, 2016
SUBJECT: CALIFORNIA TOW DROP-OFF REGULATIONS

CALIFORNIA LAW ON TOWING

California enacted AB 1222 earlier this year mandating certain recordkeeping provisions for tow truck companies amongst other statutory requirements. If the dealer is in the towing business, then we recommend that you consult and implement all provisions of AB 1222 (Bloom). Since dealers with tow truck ownership are very few, we will not discuss in detail the tow truck company operational issues and recordkeeping requirements, but rather the dealer obligations under the new law as they receive automobiles from independent tow truck companies.

See http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1222.

DEALERS RECEIVING AUTOS FROM TOW TRUCK COMPANIES

Dealers are required to gather data on all third party vehicles that are dropped off on premises. Data must be collected the next day for vehicles dropped off during off hours. This data must be retained for three years and made available to law enforcement agencies within 48 hours. Data that must be obtained is as follows:

- Date & Time of Possession of Vehicle
- Name, Address, and Telephone of Towing Company
- Name & Driver's License of Tow Truck Operator
- Make, Model, and License or VIN Number

Most tow truck companies are familiar with the law and have a photo copy of the driver's license of the tow truck driver on a letterhead attached to drop-off paperwork. This facilitates the completion of the paperwork for the dealership. We have attached a form that may be used to record the mandatory information for dealership records (see attached). Fine for violation of the law is \$2500 (max) or 3 months in jail (max) or by both fine and imprisonment.

Ref: Section 22513.1 of the California Vehicle Code

Disclaimer: Information from California State Legislation AB 1222 (Bloom) was used to prepare part of this Newsletter. Employers must consult their lawyer for legal matters and safety consultants for matters related to safety. The article was authored by Sam Celly of Celly Services, Inc. who has been helping automobile dealers comply with EPA & OSHA regulations since 1987. Sam received his BE (1984) and MS (1986) in Chemical Engineering followed by a J.D. from Southwestern University School of Law (1997). Our newsletters can be accessed at www.epaoshablog.com. Your comments/questions are always welcome. Please send them to sam@cellyservices.com.