

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BUREAU OF AUTOMOTIVE REPAIR

PROPOSED REGULATORY LANGUAGE
Towing Authorization Requirement

Legend:	Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout . Omitted text is indicated by (* * * *)
----------------	---

Amend sections 3353 and 3356 of Article 7 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations to read as follows:

§ 3353. Estimate/Work Order Requirements.

* * * *

(e) (1) If an automotive repair dealer ~~provides~~ performs a towing service, or contracts for with another party that performs a towing service, and the automotive repair dealer will charge the customer a fee(s) for that towing service, the amount of any towing fees the automotive repair dealer will charge shall be provided to and authorized by the customer —prior to the towing service being performed. receiving payment for those services—

(2) Any towing fee authorization an automotive repair dealer that maintains a motor carrier permit under Vehicle Code section 34620 obtains from a customer shall be on a separate document (electronic or printed) from any repair estimate or invoice authorization. This subdivision does not apply to a towing service necessary to transport the vehicle as part of a sublet repair pursuant to subdivision (f) of this section, or to transfer the vehicle to a different location for purposes of storage pursuant to section 3351.8.1(c) of this Chapter. pursuant to Vehicle Code section 22651.07(a)(3) and the Towing and Storage Fees and Access Notice in Vehicle Code section 22651.07(e). Authorization for towing fees shall be obtained separate and apart from any authorization for repair work.

* * * *

Note: Authority cited: Sections 9882 and 9884.9, Business and Professions Code.
Reference: Sections 9884.8, 9884.9, 9889.50 and 9889.52, Business and Professions Code; and Section 22651.07, Vehicle Code.

§ 3356. Invoice Requirements.

* * * *

(c) The invoice shall separately list, describe, and identify all of the following:

* * * *

(7) Any storage-related charges.

(8) Any towing-related charges.

* * * *

Note: Authority cited: Sections 137 and 9882, Business and Professions Code.
Reference: Sections 9884.8, 9889.50 and 9889.52, Business and Professions Code;
and Sections 12000 ~~and~~, 12001, and 22561.07, Vehicle Code.