

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**Introduced**

**House Bill 4034**

BY DELEGATE COOPER

[Introduced January 12, 2022; Referred to the  
Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §24A-2-2c, relating to limits on administrative fees for towing and storage  
 3 services and rates for the use of multiple wreckers; and requiring a rule to be proposed  
 4 for legislative approval.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. COMMON CARRIERS BY MOTOR VEHICLES.**

### **§24A-2-2c. Rule-making authority; establishing rates on administrative fees and the use of multiple wreckers.**

1 (a) On or before July 1, 2022, the commission shall propose a rule for legislative approval  
 2 in accordance with the provisions of §29A-3-1 et seq. of this code to establish limits on the  
 3 administrative fees for recovering, towing, carrying, hauling, or storing wrecked or disabled  
 4 vehicles as described by this section and rates for the use of multiple wreckers therefor.

5 (b) The rule may be proposed as a new, free-standing rule or as amendments to the rules  
 6 required under §24A-2-2b of this code, but the rule shall establish the following:

7 (1) The maximum administrative fee levied by a carrier for recovering, towing, hauling,  
 8 carrying, or storing a wreck of disabled vehicle, provided such fee shall be no more than five  
 9 percent of the fair market value of the vehicle or \$500, whichever is less; and

10 (2) A requirement that only one wrecker shall be billed at the appropriate accident and  
 11 recovery rate and that any additional wreckers shall be billed at the appropriate tow and go rate,  
 12 as provided by the commission's maximum statewide wrecker tariff.

NOTE: The purpose of this bill is to require the PSC to establish a rule limiting the administrative fees that can be charged for recovering, hauling, and storing wrecked or disabled vehicles and limiting the rates charged for multiple wreckers.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.