

# WEST VIRGINIA LEGISLATURE

## 2017 REGULAR SESSION

Introduced

### House Bill 2750

FISCAL  
NOTE

BY DELEGATES HOWELL, MARTIN, HAMRICK, HILL,  
MAYNARD, PAYNTER, LEWIS, ARVON, CRISS, MCGEEHAN

AND ATKINSON

(BY REQUEST)

[Introduced March 1, 2017; Referred  
to the Committee on Political Subdivisions then  
Government Organization.]

1 A BILL to amend and reenact §24-6-12 of the Code of West Virginia, 1931, as amended, relating  
 2 to establishing a system at the county level for the dispatching of emergency towing  
 3 services; and permitting a fee to be collected.

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

1 That §24-6-12 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.**

**§24-6-12. Dispatching of towing services for emergency towing of vehicles; exceptions;  
fees.**

1 (a) Every three years, the county commission of each county or the municipality operating  
 2 an emergency telephone system or an enhanced emergency telephone system shall, in  
 3 consultation with all public safety units, public agencies and all available towing services  
 4 registered as common carriers pursuant to ~~the provisions of~~ chapter twenty-four-a of this code,  
 5 establish or renew a policy that provides for the ~~most prompt, fair, equitable and effective~~  
 6 response to requests or dispatches for emergency towing services consistent with the  
 7 requirements of this section.

8 (b) Each county commission shall maintain a list of towing companies that are fully  
 9 licensed to operate in the state and desire to be on the list. If a towing company desires to be on  
 10 that list it shall provide two contact telephone numbers. The commission may charge up to a \$100  
 11 annual fee to be included on the list.

12 (c) A county commission may create up to four regions within the county and maintain a  
 13 separate list for each region. A towing company may, at its option, be placed on one or more of  
 14 those region lists.

15 (d) In the event of an accident where a vehicle is required to be towed, the responding  
 16 law-enforcement agency shall contact the county commission and it shall dispatch a towing  
 17 company from the list. The county commission shall work through the list in order by calling both

18 numbers listed. if there is no response from a given company, the commission shall go to the next  
19 company on the list and so forth until one of the companies respond. The unresponsive  
20 companies go to the bottom of the list, respectively. When a company responds, whether it  
21 dispatches a towing vehicle or does not dispatch that vehicle, it goes to the bottom of the list.  
22 However, an exemption shall be granted to the list, should the vehicle owner request a specific  
23 towing company. A law- enforcement agency may not recommend a towing company.

24 (e) If a towing company fails to respond to towing requests in excess of ten times in a  
25 month, and it cannot show a sufficient reason for not responding, the towing company may be  
26 removed from the list. Once a towing company has been removed from the list, in order to be put  
27 back on the list it shall resubmit the appropriate fee and apply as if it were a new towing company.

28 ~~(b)~~ (f) For each incident where towing services are required, the public agency procuring  
29 towing services shall maintain a public record of the name of the towing service utilized.

NOTE: This purpose of this bill is to establish a system at the county level for the dispatching of emergency towing services. The bill permits a fee to be collected.

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