

**281.930 Payment and release requirements for towed vehicles.**

- (1) This section applies to towing companies that tow and store motor vehicles, and to storage facilities that store vehicles towed by a towing company, regardless of whether the towing company and the storage facilities are affiliates.
- (2) Upon payment of all costs incurred against a motor vehicle towed and stored under this chapter, the towing company or storage facility shall release the motor vehicle to:
  - (a) A properly identified owner or lienholder of the motor vehicle; or
  - (b) An authorized representative of the insurance company or its contracted service provider insuring the motor vehicle if the:
    1. Motor vehicle is covered by an active policy of insurance and the insurance representative provides proof of coverage; or
    2. Owner of the motor vehicle approves release of the vehicle to the insurance company representative.
- (3)
  - (a) Prior to payment of fees and release of the motor vehicle, a storage facility or towing company shall not refuse the right of physical inspection of the towed vehicle during posted business hours by:
    1. An owner;
    2. A lienholder;
    3. A representative of the insurance company that insures the motor vehicle; or
    4. A contracted service provider of the insurance company.
  - (b) The inspection of a vehicle that is being held as evidence by a law enforcement agency shall only occur if authorized by the investigating law enforcement agency. The law enforcement agency may impose any or all of the following restrictions:
    1. Restrict the inspection to visual and touchless only; or
    2. Require any persons or entities outlined in paragraph (a) of this subsection to be accompanied by a law enforcement officer.
- (4) A towing company or storage facility shall accept payment made by any of the following means from an individual seeking to release a motor vehicle:
  - (a) Cash;
  - (b) Check from an insurer or its agent;
  - (c) Credit card;
  - (d) Debit card;
  - (e) Money order; or
  - (f) Check drawn by a bank or other financial institution.
- (5) Upon receiving payment of all costs incurred against a motor vehicle, a towing company or storage facility shall provide to the person making payment an itemized receipt in accordance with KRS 281.926(4) and (5) to the extent the information is

known or available.

- (6) A towing company or storage facility shall be open for business or accessible by telephone during posted business hours. A towing company or storage facility shall provide a telephone number available on a twenty-four (24) hour basis to receive calls and messages from callers, including calls made outside posted business hours. All calls made to a towing company or storage facility shall be returned within twenty-four (24) hours from the time received. However, if adverse weather, an emergency situation, or another act over which the towing company or storage facility has no control prevents the towing company or storage facility from returning calls within twenty-four (24) hours, the towing company or storage facility shall return all calls received as quickly as possible.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 74, sec. 7, effective June 29, 2021.