SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1184 be amended to read as follows:

1   Page 1, between the enacting clause and line 1, begin a new
2   paragraph and insert:
3   "SECTION 1. IC 9-22-1-8, AS AMENDED BY THE TECHNICAL
4   CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS
5   AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:
6   Sec. 8. (a) If the properly identified person who owns or holds a lien on
7   a vehicle appears at the site of storage before disposal of the vehicle or
8   parts and pays all costs relating to a tow, the storage of the vehicle, and
9   all allowable fees, as applicable, the vehicle or parts shall be released.
10   (b) A towing service or storage yard may not charge an inspection
11   fee to an owner, a lienholder, or an insurance company representative
12   to inspect a vehicle or retrieve items from the vehicle.
13   (c) A towing service or storage yard must accept payment made by
14   any of the following means from a person seeking to release a vehicle
15   under this section:
16   (1) Cash.
17   (2) Certified check.
18   (3) Insurance check.
19   (4) Money order.
20   **(5) Credit card.**
21   **(6) Debit card.**
22   A towing service or storage facility may elect to accept payment by
23   means of a credit card or debit card.
24   **(d) A towing service or storage yard may not charge a credit**
25   **card service fee of more than three percent (3%).**
26   (d) **(e)** Upon receiving payment of all costs relating to a tow, the
27   storage of a vehicle, and all allowable fees, as applicable, a towing

1   service or storage yard shall provide to the person making payment an
2   itemized receipt that includes the information set forth in IC 24-14-5,
3   to the extent the information is known or available.
4   ~~(e)~~ **(f)** A towing service or storage yard must be open for business
5   and accessible by telephone during regular office hours. A towing
6   service or storage yard must provide a telephone number that is
7   available on a twenty-four (24) hour basis to receive calls and messages
8   from callers, including calls made outside of regular office hours. All
9   calls made to a towing service or storage yard must be returned within
10   twenty-four (24) hours from the time received. However, if adverse
11   weather, an act of God, or an emergency situation over which the
12   towing service or storage yard has no control prevents the towing
13   service or storage yard from returning calls within twenty-four (24)
14   hours, the towing service or storage yard shall return all calls received
15   as quickly as possible.
16   ~~(f)~~ **(g)** A towing service or storage yard shall, if required, notify the
17   appropriate public agency of all releases under this section. The
18   notification must include:
19   (1) the name and address of:
20   (A) the person that owns or holds a lien on the vehicle; and
21   (B) the insurance company that insures the vehicle, if the
22   vehicle was released to a representative of the insurance
23   company;
24   (2) the signature of the individual to whom the vehicle was
25   released;
26   (3) a description of the vehicle or parts;
27   (4) costs paid; and
28   (5) the date of release.
29   ~~(g)~~ **(h)** A towing service or storage yard shall release property to a
30   properly identified person who owns or holds a lien on the vehicle not
31   later than twenty-four (24) hours after the towing service's or storage
32   yard's receipt of:
33   (1) payment of seventy-five percent (75%) of the amount of the
34   invoice;
35   (2) proof of a bond obtained by the owner for the remaining
36   twenty-five percent (25%) of the amount of the invoice, payable
37   in the event the owner does not comply with a court order under
38   subsection ~~(j);~~ **(k);** and
39   (3) a copy of a complaint filed with the attorney general alleging
40   a violation of IC 24-14 under IC 24-14-10-1.
41   ~~(h)~~ **(i)** The owner shall file a civil complaint in the appropriate
42   jurisdiction not later than thirty (30) days after providing the items
43   required to release the vehicle under subsection ~~(g)~~ **(h)** if the disputed
44   invoice amount has not been resolved. A towing service or storage yard
45   may bring a civil complaint in an appropriate jurisdiction at any time
46   within the same thirty (30) day period asking the court to resolve the

1 disputed invoice amount.

2 ~~(i)~~ **(j)** A civil complaint filed under subsection ~~(h)~~ **(i)** must include
3 the amounts in the invoice that are disputed and the reasons those
4 amounts are disputed. A copy of the invoice and any evidence of
5 reasonableness or unreasonableness must be filed with the complaint.

6 ~~(j)~~ **(k)** After a civil complaint is filed under subsection ~~(h),~~ **(i),** the
7 court shall make a determination as to whether the amount charged by
8 the towing service or storage yard is reasonable. If the court determines
9 that the amount is reasonable, the court shall order the owner to pay the
10 amount of the invoice, minus the amount paid under subsection ~~(g)(1).~~
11 **(h)(1).** If the court determines that the amount charged was
12 unreasonable, the court shall determine a reasonable amount and order
13 the owner to pay that amount minus the amount paid under subsection
14 ~~(g)(1).~~ **(h)(1).** If the reasonable amount determined by the court is less
15 than the amount paid under subsection ~~(g)(1),~~ **(h)(1),** the court shall
16 order the towing service or storage yard to pay the owner the difference
17 in those amounts. The court may also require either party to pay or
18 refund any additional amount and may impose any monetary penalties
19 that the court determines to be appropriate.

20 ~~(k)~~ **(l)** Nothing in this section creates, implies, or otherwise grants
21 insurance coverage for the amount billed by a towing service or storage
22 ~~facility~~ **yard** that is not within the owner's automobile insurance policy
23 or other policy of insurance.".

24   Page 3, delete lines 17 through 21.
25   Renumber all SECTIONS consecutively.
    (Reference is to EHB 1184 as printed February 18, 2026.)

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Senator CRIDER