



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) Commonly accepted credit cards and debit cards.**
21 ~~A towing service or storage facility may elect to accept payment by~~
22 ~~means of a credit card or debit card.~~
23 (d) Upon receiving payment of all costs relating to a tow, the storage
24 of a vehicle, and all allowable fees, as applicable, a towing service or
25 storage yard shall provide to the person making payment an itemized
26 receipt that includes the information set forth in IC 24-14-5, to the
27 extent the information is known or available.

1 (e) A towing service or storage yard must be open for business and
2 accessible by telephone during regular office hours. A towing service
3 or storage yard must provide a telephone number that is available on a
4 twenty-four (24) hour basis to receive calls and messages from callers,
5 including calls made outside of regular office hours. All calls made to
6 a towing service or storage yard must be returned within twenty-four
7 (24) hours from the time received. However, if adverse weather, an act
8 of God, or an emergency situation over which the towing service or
9 storage yard has no control prevents the towing service or storage yard
10 from returning calls within twenty-four (24) hours, the towing service
11 or storage yard shall return all calls received as quickly as possible.

12 (f) A towing service or storage yard shall, if required, notify the
13 appropriate public agency of all releases under this section. The
14 notification must include:

15 (1) the name and address of:

16 (A) the person that owns or holds a lien on the vehicle; and

17 (B) the insurance company that insures the vehicle, if the
18 vehicle was released to a representative of the insurance
19 company;

20 (2) the signature of the individual to whom the vehicle was
21 released;

22 (3) a description of the vehicle or parts;

23 (4) costs paid; and

24 (5) the date of release.

25 (g) A towing service or storage yard shall release property to a
26 properly identified person who owns or holds a lien on the vehicle not
27 later than twenty-four (24) hours after the towing service's or storage
28 yard's receipt of:

29 (1) payment of seventy-five percent (75%) of the amount of the
30 invoice;

31 (2) proof of a bond obtained by the owner for the remaining
32 twenty-five percent (25%) of the amount of the invoice, payable
33 in the event the owner does not comply with a court order under
34 subsection (j); and

35 (3) a copy of a complaint filed with the attorney general alleging
36 a violation of IC 24-14 under IC 24-14-10-1.

37 (h) The owner shall file a civil complaint in the appropriate
38 jurisdiction not later than thirty (30) days after providing the items
39 required to release the vehicle under subsection (g) if the disputed
40 invoice amount has not been resolved. A towing service or storage yard
41 may bring a civil complaint in an appropriate jurisdiction at any time
42 within the same thirty (30) day period asking the court to resolve the
43 disputed invoice amount.

44 (i) A civil complaint filed under subsection (h) must include the
45 amounts in the invoice that are disputed and the reasons those amounts
46 are disputed. A copy of the invoice and any evidence of reasonableness

1 or unreasonableness must be filed with the complaint.

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

16 (k) Nothing in this section creates, implies, or otherwise grants
17 insurance coverage for the amount billed by a towing service or storage
18 ~~facility~~ yard that is not within the owner's automobile insurance policy
19 or other policy of insurance.

20 SECTION 2. IC 9-22-1-15, AS AMENDED BY P.L.54-2009,
21 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2026]: Sec. 15. (a) **Subject to subsections (c) and (d)**, a
23 person who finds a vehicle believed to be abandoned on private
24 property that the person owns or controls, including rental property,
25 may:

26 (1) obtain the assistance of an officer under section 18 of this
27 chapter to have the vehicle removed; or

28 (2) personally arrange for the removal of the vehicle by
29 complying with subsection (b) and section 16 of this chapter.

30 (b) **Subject to subsections (c) and (d)**, if the person wishes to
31 personally arrange for the removal of the vehicle, the person shall
32 attach in a prominent place a notice tag containing the following
33 information:

34 (1) The date, time, name, and address of the person who owns or
35 controls the private property and a telephone number to contact
36 for information.

37 (2) That the vehicle is considered abandoned.

38 (3) That the vehicle will be removed after twenty-four (24) hours.

39 (4) That the person who owns the vehicle will be held responsible
40 for all costs incidental to the removal, storage, and disposal of the
41 vehicle.

42 (5) That the person who owns the vehicle may avoid costs by
43 removal of the vehicle or parts within twenty-four (24) hours.

44 (c) **The person who owns or controls private property on which**
45 **a vehicle is believed to be abandoned must consent to the removal**
46 **of the vehicle under this section in writing.**

1 **(d) The person who owns or controls private property on which**
 2 **a vehicle is believed to be abandoned must, at least twenty-four**
 3 **(24) hours before and at the time of the tow, have signs posted**
 4 **within any garage or parking lot indicating that the garage or**
 5 **parking lot is private property and any unauthorized vehicle will**
 6 **be towed, in addition to any notice tag required under this chapter.**

7 SECTION 3. IC 9-22-1-16, AS AMENDED BY P.L.262-2013,
 8 SECTION 105, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) **Subject to subsections (c)**
 10 **and (d),** if after twenty-four (24) hours the person who owns a vehicle
 11 believed to be abandoned on private property has not removed the
 12 vehicle from the private property, the person who owns or controls the
 13 private property on which the vehicle is believed to be abandoned may
 14 have the vehicle towed from the private property.

15 (b) Notwithstanding subsection (a) **and subject to subsections (c)**
 16 **and (d),** in an emergency situation a vehicle believed to be abandoned
 17 on private property may be removed immediately. As used in this
 18 subsection, "emergency situation" means that the presence of the
 19 vehicle believed to be abandoned interferes physically with the conduct
 20 of normal business operations of the person who owns or controls the
 21 private property or poses a threat to the safety or security of persons or
 22 property, or both.

23 (c) **A person who owns or controls private property on which a**
 24 **vehicle that is believed to be abandoned and that does not require**
 25 **a commercial driver's license to operate or a towing service may**
 26 **not tow the vehicle if the owner of the vehicle or the owner's agent:**

- 27 **(1) is on the scene before the vehicle is completely removed**
 28 **from the private property;**
 29 **(2) can produce the ignition key or another ignition device for**
 30 **the vehicle; and**
 31 **(3) immediately removes the vehicle from the private**
 32 **property.**

33 (d) **A person who owns or controls private property on which a**
 34 **vehicle that is believed to be abandoned and that requires a**
 35 **commercial driver's license to operate or a towing service may not**
 36 **tow the motor vehicle if the owner or operator of the vehicle:**

- 37 **(1) is on the scene before the motor vehicle is completely**
 38 **removed from the private property;**
 39 **(2) can produce the ignition key for the motor vehicle;**
 40 **(3) pays a reasonable service fee of not more than fifty percent**
 41 **(50%) of the posted rate for the towing service; and**
 42 **(4) immediately removes the motor vehicle from the private**
 43 **property.**

44 SECTION 4. IC 9-22-1-16.2 IS ADDED TO THE INDIANA CODE
 45 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 46 1, 2026]: **Sec. 16.2. (a) A towing service that removes vehicles under**

1 section 15 of this chapter shall print and make available to the
2 public all rates and charges for towing or otherwise moving from
3 private property and storing unauthorized vehicles.

4 (b) A towing service may not tow a vehicle from a lot that does
5 not, at least twenty-four (24) hours before and at the time of the
6 tow, have signs posted in compliance with section 15(d) of this
7 chapter.

8 (c) A towing service shall, upon request of the owner of a towed
9 vehicle, provide the owner with:

10 (1) a photograph:

11 (A) of the towed vehicle;

12 (B) that was taken before the vehicle was towed by the
13 towing service; and

14 (C) that clearly reflects the date, time, and location at
15 which the photograph was taken and the vehicle's license
16 plate number; and

17 (2) relevant electronic video records of the towing service's
18 actions in towing the vehicle.

19 (d) When the owner of a towed vehicle retrieves the vehicle, or
20 upon request of the owner, the towing service shall provide the
21 owner with a copy of this chapter and all other relevant laws that
22 govern towing vehicles in Indiana, including contact information
23 for the office of the Indiana attorney general and instructions on
24 the manner in which the owner may file a complaint with the
25 attorney general concerning the towing service.

26 SECTION 5. IC 9-22-1-16.5 IS ADDED TO THE INDIANA CODE
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
28 1, 2026]: Sec. 16.5. (a) A towing service shall post the following
29 notice in a conspicuous location of the towing services's lot or
30 facility where individuals retrieve towed vehicles:

31 "Notice of Legal Requirements That Apply to Towing
32 Services

33 (1) A towing service may not tow a vehicle from private
34 property without the written consent of the person who owns
35 or controls the private property.

36 (2) A towing service may not tow a vehicle from a lot that does
37 not, at least twenty-four (24) hours before and at the time of
38 the tow, have signs posted in compliance with applicable laws
39 and regulations.

40 (3) A towing service is required to print and make available
41 to the public all rates and charges for towing or otherwise
42 moving and storing unauthorized vehicles from private
43 property.

44 (4) With respect to a vehicle that does not require a
45 commercial driver's license to operate, a towing service may
46 not tow the vehicle if the owner of the vehicle or the owner's
47 agent:

- 1 (A) is on the scene before the vehicle is completely removed
2 from the private property;
3 (B) can produce the ignition key or another ignition device
4 for the vehicle; and
5 (C) immediately removes the vehicle from the private
6 property.
- 7 (5) With respect to a vehicle that requires a commercial
8 driver's license to operate, a towing service may not tow the
9 vehicle if the owner or operator of the vehicle:
10 (A) is on the scene before the vehicle is completely removed
11 from the private property;
12 (B) can produce the ignition key for the vehicle;
13 (C) pays a reasonable service fee of not more than fifty
14 percent (50%) of the posted rate for the towing service;
15 and
16 (D) immediately removes the vehicle from the private
17 property.
- 18 (6) A towing service is required to notify the local law
19 enforcement agency not later than thirty (30) minutes after
20 towing a vehicle from an unauthorized location.
- 21 (7) A towing service is required to accept any of the following
22 as payment for towing services:
23 (A) Cash.
24 (B) Certified check.
25 (C) Insurance check.
26 (D) Money order.
27 (E) Commonly accepted credit cards and debit cards.
- 28 (8) A towing service may not charge an inspection fee to an
29 owner to inspect a vehicle or retrieve items from the vehicle.
- 30 (9) A towing service is required, upon request of the owner of
31 a towed vehicle, to provide the owner with:
32 (A) a photograph:
33 (i) of the towed vehicle;
34 (ii) that was taken before the vehicle was towed by the
35 towing service; and
36 (iii) that clearly reflects the date, time, and location at
37 which the photograph was taken and the vehicle's license
38 plate number; and
39 (B) relevant electronic video records of the period during
40 which the vehicle was towed.
- 41 (10) When the owner of a towed vehicle retrieves the vehicle,
42 or upon request of the owner, a towing service is required to
43 provide the owner with a copy of this notice and relevant laws
44 that govern towing companies in Indiana.
- 45 (11) Complaints about a towing service may be made by
46 contacting the Office of the Indiana Attorney General. A
47 towing service is required to provide contact information for

1 the Attorney General upon request."
2 **(b) The following apply to a notice required by subsection (a):**
3 **(1) The notice posted under this section must be on a poster**
4 **not less than eleven (11) inches in width and seventeen (17)**
5 **inches in height.**
6 **(2) The towing service shall provide a paper copy of the notice**
7 **to each individual who retrieves a vehicle from the towing**
8 **service's lot or facility.**
9 SECTION 6. IC 9-22-1-17, AS AMENDED BY P.L.125-2012,
10 SECTION 122, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: Sec. 17. A towing service that tows a
12 vehicle under section 16 of this chapter shall, **not later than thirty**
13 **(30) minutes after relocating the vehicle**, give notice to the public
14 agency that the abandoned vehicle is in the possession of the towing
15 service.
16 SECTION 7. IC 9-22-1-17.5 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2026]: **Sec. 17.5. A towing service that violates this chapter**
19 **commits a Class B infraction."**
20 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1184 as printed February 18, 2026.)

Senator FORD J.D.