

# NEW MEXICO PUBLIC REGULATION COMMISSION

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**NEWS RELEASE**

## Do You Know Your Rights When Your Car Gets Towed?

**SANTA FE** – Did you know that the New Mexico Public Regulation Commission (PRC) regulates towing companies and the rates they can charge for non-consensual tows? Because the PRC has received a number of inquiries from members of the public as to whether they were charged the appropriate towing rates, Commissioner Sandy Jones (District 5) is providing this brief overview of your rights when your vehicle is towed and what a towing company can charge you for a non-consensual tow.

### WHAT IS A NON-CONSENSUAL TOW?

Non-consensual tows are those initiated by law enforcement officers and certain other tows that are initiated without the prior consent of the vehicle owner. As an example, non-consensual tows often take place after vehicle collisions or DWI arrests. They can also occur when a vehicle is parked illegally in a designated handicapped space, fire lane, or on private property.

The PRC sets the lawful rates that towing companies can charge for non-consensual tows, including the rates for mileage, hook-ups, extra equipment or labor, storage and other services. The currently-approved rates are set out in the Statewide Wrecker Tariff, which can be found at <http://nmprc.state.nm.us/transportation/docs/statewidewreckertariffJuly142011.pdf>.

Any individual who believes they were illegally overcharged for a non-consensual tow is encouraged to contact the PRC at 1-888-4ASK-PRC (1-888-427-5772), which is toll free, or Commissioner Sandy Jones at (505) 827-8020.

### CONSENSUAL TOWS

The PRC does not regulate rates for consensual tows. The federal government deregulated these rates, letting the market determine what a towing company can charge. However, any towing company that provides consensual and/or non-consensual towing services must obtain a state-issued warrant to provide services, and must satisfy state requirements regarding proper insurance coverage and safety regulations. In addition, all vehicles within a company's fleet regulated by the PRC must have a PRC number permanently affixed to the vehicle.

Members of the public who have any questions or concerns are encouraged to contact the PRC's Transportation Division. Be sure to check your invoice against the provisions outlined in the Statewide Wrecker Tariff located on our web site.

### About the NMPRC

The NMPRC regulates public utilities, telecommunications companies and motor carriers operating in the State of New Mexico. It also administers the State Fire Marshal's Office, the New Mexico Firefighters Training Academy in Socorro, N.M., and the Pipeline Safety Bureau.

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