

# HOUSE . . . . . No. 4542

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 16, 2024.

The committee on Telecommunications, Utilities and Energy, to whom was referred the petition (accompanied by bill, House, No. 3202) of James J. O'Day and Daniel M. Donahue for legislation to further regulate the towing away and storage of motor vehicles, reports recommending that the accompanying bill (House, No. 4542) ought to pass.

For the committee,

JEFFREY N. ROY.

**HOUSE . . . . . No. 4542**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act relative to reduce administrative burden for government and industry.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 6B of chapter 159B of the general laws, as appearing in the 2020  
2 official edition, shall be amended by striking the fifth paragraph in its entirety.

3           SECTION 2. (a) Notwithstanding any general or special law to the contrary, the  
4 Department of Public Utilities shall conduct a study for the purposes of making  
5 recommendations on improving the process for determining the rate of reimbursement for the  
6 involuntary towing of motor vehicles.

7           (b) In conducting its analysis, the Department shall: (1) report on the history of the  
8 process for establishing the rate of reimbursement for involuntary towed motor vehicles,  
9 including the number of rate adjustments, requests for rate adjustments and their outcome; (2)  
10 identify known issues or problems associated with the current process for establishing said rates,  
11 including any distinction between regulatory rulemaking and the rate setting process; (3) provide  
12 an analysis of the methods for determining the applicable rates for involuntary towing used in  
13 other states; (4) report on the number of tow companies engaged in involuntary towing over time

14 in Massachusetts, including but not limited to, a delineation of those tow companies who hold a  
15 certificate, but do not engage in involuntary towing; (5) identify the economic factors impacting  
16 towing companies and how such costs are factored into determining the involuntary tow rate; and  
17 (6) determine, to the extent possible, any difference in costs for associated with trespass towing  
18 versus police-ordered tows for companies so authorized under an involuntary certificate.

19 (c) The Department shall hold at least two public hearings to assist in the collection and  
20 evaluation of data and testimony; provided further, that at least one hearing occur outside of the  
21 City of Boston.

22 (d) The Department shall prepare a written report detailing its findings and  
23 recommendations, together with drafts of legislation, as may be necessary to carry those  
24 recommendations into effect. The Department shall submit its initial report to the clerks of the  
25 senate and house of representatives, the chairs of the house and senate committees on ways and  
26 means and the chairs of the joint committee on telecommunication, utilities and energy not later  
27 than 6 months after the effective date of this act.