

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

AB 987 (Sharp-Collins)  
Version: July 2, 2025  
Hearing Date: July 8, 2025  
Fiscal: Yes  
Urgency: No  
ME

**SUBJECT**

Vehicles: storage and towing

**DIGEST**

This bill specifies a number of storage and towing fees that are presumptively unreasonable. The bill also provides that the liability of a towing owner and operator is limited, as specified, when law enforcement officers direct them to remove their vehicle to the nearest shoulder or to level ground adjacent to the roadway for the sole purpose of clearing a roadway to facilitate access by an emergency vehicle at the scene of a state or local emergency.

**EXECUTIVE SUMMARY**

This bill enhances consumer protections by protecting consumers from unreasonable fees charged by towing companies. Consumer protection advocates point to exorbitant fees that consumers must pay in order to retrieve their vehicles from towing and storage businesses. This bill expands the definition of unreasonable tow fees. This bill also responds to concerns that tow truck owners and operators will be hesitant to clear the road as directed by law enforcement in order to facilitate access by emergency vehicles due to a fear of being sued for damage caused. In an effort to incentivize tow truck owners and operators to clear the road for law enforcement during local and state emergencies this bill provides qualified immunity to towing owners and operators when law enforcement officers direct them to remove vehicles to facilitate access by emergency vehicles at the scene of a state or local emergency.

The bill is supported by CALPIRG and Consumers for Auto Reliability and Safety. No timely opposition has been received by the Committee. The bill passed out of the Senate Transportation Committee on a vote of 14 to 0.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Provides that every person is responsible, not only for the result of their willful acts, but also for an injury occasioned to another by the person's want of ordinary care or skill in the management of their property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon themselves. (Civ. Code § 1714(a).)
- 2) Provides that no person who, in good faith, and not for compensation, renders emergency medical or nonmedical care at the scene of an emergency shall be liable for any civil damages resulting from any act or omission. The scene of an emergency shall not include emergency departments and other places where medical care is usually offered. This applies only to medical, law enforcement, and emergency personnel, as specified. (Health & Saf. Code § 1799.102(a).)
- 3) Extends to all other persons not covered by the above who are rendering medical or nonmedical care or other assistance in such situations immunity from civil damages resulting from any act or omission other than acts or omissions constituting gross negligence or willful or wanton misconduct. (Health & Saf. Code § 1799.102(b).)
- 4) Requires all storage and towing fees charged to a legal owner of a motor vehicle to be reasonable, as specified. Requires all towing and storage fees charged when those services are performed as a result of an accident or recovery of a stolen vehicle to be reasonable. Deems a towing and storage charge to be reasonable if it does not exceed those rates and fees charged for similar services provided in response to requests initiated by a public agency, including but not limited to, the California Highway Patrol (CHP) or local police department. Deems a storage rate and fee to be reasonable if it is comparable to storage-related rates and fees charged by other facilities in the same locale, but does not preclude a rate or fee that is higher or lower if it is otherwise reasonable. (Veh. Code § 106252.5, §22524.5.)
- 5) Specifies that the following rates and fees are presumptively unreasonable: administrative or filing fees, except those incurred related to documentation from the Department of Motor Vehicles and those related to the lien sale of a vehicle; security fees; dolly fees; load and unload fees; pull-out fees; and, gate fees, except when the owner or insurer of the vehicle requests that the vehicle be released outside of regular business hours. (Veh. Code § 22524.5)

This bill:

- 1) Expands the list of presumptively unreasonable rates and fees for towing and storage.

- 2) Provides that towing fees are presumptively unreasonable when the owner is directed by a law enforcement officer to remove their vehicle to the nearest shoulder or to level ground adjacent to the roadway for the sole purpose of clearing a roadway to facilitate access by an emergency vehicle at the scene of a state emergency, as defined in Section 8625 of the Government Code, or a local emergency, as defined in Section 8630 of the Government Code.
- 3) Specifies that an owner or operator of a tow truck that removes a vehicle under the emergency circumstances described in 2), above, who acts in good faith is not subject to civil liability for any damage to personal property that results from the removal of the vehicle. However, this limitation in liability does not apply to an act or omission by an owner or operator of a tow truck that constitutes gross negligence or willful or wanton misconduct.

### COMMENTS

#### 1. Civil liability and immunity

As a general rule, California law provides that persons are responsible, not only for the result of their willful acts, but also for an injury occasioned to another by their want of ordinary care or skill in the management of their property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon themselves. (Civ. Code § 1714(a).) Liability has the primary effect of ensuring that some measure of recourse exists for those persons injured by the negligent or willful acts of others; the risk of that liability has the primary effect of ensuring parties act reasonably to avoid harm to those to whom they owe a duty.

Conversely, immunity from liability disincentivizes careful planning and acting on the part of individuals and entities. When one enjoys immunity from civil liability, they are relieved of the responsibility to act with due regard and an appropriate level of care in the conduct of their activities. Immunity provisions are also disfavored because they, by their nature, preclude parties from recovering when they are injured, and force injured parties to absorb losses for which they are not responsible. Liability acts not only to allow a victim to be made whole, but to encourage appropriate compliance with legal requirements.

Although immunity provisions are rarely preferable, the Legislature has, in limited scenarios, approved measured immunity from liability (as opposed to blanket immunities) to promote other policy goals that could benefit the public. Immunities are generally afforded when needed to ensure the willingness of individuals to continue taking on certain roles that may involve some risk and to incentivize certain conduct, such as the provision of life-saving or other critical services. Examples include protections for use of CPR (Civ. Code § 1714.2); use of an automated external defibrillator (Civ. Code § 1714.21); providing emergency care at the scene of an

emergency (Health & Saf. Code §§ 1799.102, 1799.106); and performing emergency rescue services (Health & Saf. Code § 1799.107). However, as indicated above, rarely is immunity absolute, and these immunities generally do not cover grossly negligent conduct or intentional misconduct.

## 2. Qualified immunity for tow truck owners and operators

According to the author:

Unreasonable tow and storage fees can place a severe financial burden on working-class individuals, especially when their vehicles are towed unexpectedly or through no fault of their own. Current law only limits fees in certain situations, allowing towing companies to impose excessive charges — such as holiday fees, after-hours releases, or unnecessary administrative costs — in most other cases. These practices exploit people in vulnerable moments, often forcing them to choose between paying exorbitant fees or losing access to vital transportation. This bill expands the definition of “unreasonable” fees to provide clear consumer protections and prevent predatory pricing. By targeting specific fee categories, such as those charged during emergencies, natural disasters, or when storage facilities are closed, this bill ensures fairness and transparency in towing practices. It prioritizes public interest over profit, helping to safeguard Californians from financial exploitation during times of stress and uncertainty.

This bill specifies a number of storage and towing fees that are presumptively unreasonable. The bill specifies that towing fees are presumptively unreasonable when the owner is directed by a law enforcement officer to remove their vehicle to the nearest shoulder or to level ground adjacent to the roadway for the sole purpose of clearing a roadway to facilitate access by an emergency vehicle at the scene of a state emergency or a local emergency. And, with respect to the jurisdiction of this Committee the bill provides an owner and operator of a tow truck qualified immunity from liability for damage to personal property that results from the removal of the vehicle that is removed at the direction of law enforcement in very narrow circumstances. However, this immunity does not extend to acts or omissions that constitute gross negligence or willful or wanton misconduct.

The Legislature has, in limited scenarios, approved measured immunity from liability (as opposed to blanket immunities) to promote other policy goals that could benefit the public. Immunities are generally afforded when needed to ensure the willingness of individuals to continue taking on certain roles that may involve some risk and to incentivize certain conduct, such as the provision of life-saving or other critical services. Moving cars off of the road to ensure emergency vehicles are able to pass through to attend to the emergency would benefit the public. Therefore, it is arguably appropriate

to offer those tow truck owners and operators this qualified immunity in this very narrow circumstance.

According to CALPIRG, in support of the bill:

A 2018 survey from the Property Casualty Insurers Association of America identified excessive rates and fees as “the worst problem insurers and consumers face with towing companies.” Inflated charges leave people either without access to transportation they rely on or forced to pay exorbitant prices.

AB 987 expands protections against excessive fees in all towing instances, protecting consumers from predatory pricing.

Consumers for Auto Reliability and Safety write the following in support of the bill:

Unfortunately, some unscrupulous tow companies impose unjustified and unreasonable charges upon vehicle owners as a condition of returning their vehicles, causing significant financial strain, particularly for moderate and low-income individuals and families. Many vehicle owners are forced to pay exorbitant fees to retrieve their vehicles, often resulting in unexpected financial hardship. For many, this burden can lead to a cascade of problems, such as missed work, difficulty accessing healthcare, and challenges in providing for their families.

While current law offers some protection against unreasonable tow fees, loopholes and gaps remain, allowing towing companies to exploit vehicle owners through excessive and unjustified charges. AB 987 takes an important step toward expanding the definition of "unreasonable" tow fees, offering greater consumer protections and reducing the risk of predatory pricing. These provisions are crucial for helping ensure that vehicle owners are not unfairly burdened by arbitrary and exorbitant fees, or unjustly deprived of their only means of transportation.

### **SUPPORT**

CALPIRG

Consumers for Auto Reliability and Safety

### **OPPOSITION**

None known

**RELATED LEGISLATION**

Pending Legislation: None known.

Prior Legislation:

AB 2932 (Santiago, Ch. 432, Stats. 2018) required towing and storing fees to be reasonable and increased consumer protection for customers of towing and storage.

AB 519 (Solorio, Ch. 566, Stats. 2010) required towing companies to provide customers with a towing fees and access notice and an itemized invoice of all towing and storage fees.

**PRIOR VOTES:**

Senate Transportation Committee (Ayes 14, Noes 0)

Assembly Floor (Ayes 75, Noes 0)

Assembly Appropriations Committee (Ayes 15, Noes 0)

Assembly Transportation Committee (Ayes 16, Noes 0)

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