



Oregon State Board of Towing Discussion – Clarification of Laws for Compliance Review July 8, 2025

This document does not represent formal Board decisions or policy; the document facilitates board discussion to:

- 1. Define or clarify ambiguity in Oregon law.*
- 2. Address situations and scenarios submitted in complaints*
- 3. Answer questions or provide clarification to the public, towing industry, and board partners.*

ORS 98.850 Legislative findings and declaration

(2) The Legislative Assembly declares that: (a) Statutes that assist members of the public in avoiding involuntary loss of use of motor vehicles and in expediting recovery of motor vehicles and the personal property in the motor vehicles promote the safety and welfare of members of the public.

Objectives:

Clarify intent of existing laws and Board expectations.

Determine: best practice to use for board review, possible administrative rule, need for statute change.

Signage:

ORS 98.854 Prohibitions placed on tower

A tower may not:

(1)(a) Tow a motor vehicle from a parking facility unless there is a sign displayed in plain view at the parking facility that, using clear and conspicuous language, prohibits or restricts public parking at the parking facility.

Follow Up Discussion:

- No signs notifying the public of parking restrictions requires a 72 hour notice.
- No signs and no notice are required if the area is not a parking facility and parking blocks entrance or access to the property.
- Signs posted on the property including the name and contact information of the tower may be towed without notice.
- Signs posted on the property with no contact information for any tower may be towed without notice.
- As signs showing the name and contact information of the tower represent a business agreement between the tower and the property owner, and provide information to vehicle owners of who to contact for return of the vehicle; towers may tow under another tower's sign with a 72 hour notice.

Question:

- When the signs have contact information of the tower - Are the posted signs required to display the contact information for the tower's nearest facility?
- Can towers use out-of-state contact information when the nearest tow lot is out-of-state?

Question:

- Are signs posted in parking lots a form of advertisement?
- If a tower no longer holds a valid tow business certificate, are the signs a violation of ORS 822.200 for purportedly operating a tow business by advertising towing services?

Question:

Who is ultimately responsible to remove signs from a property to ensure compliance, public protection, and ensure that the vehicle owners are parked with informed consent and the information needed to recover their vehicle?

ORS 822.200:

Question:

If a tow company changes its name to a similar name, and ownership doesn't change, is a new title and tow business certificate required?

Clarification:

Is it a violation of ORS 822.200 to operate a tow vehicle without a valid tow business certificate if the tower has active tow business certificates issued to other vehicles?

Question:

Is it a violation of ORS 822.200 if

- Tow Company A leases a vehicle to Tow Company B
- The tow companies are two separate entities (one is not an abn or dba of the other)
- Tow Company A has a tow business certificate
- Company B has no tow business certificates issued in its name
- Tow Company A is the only company listed on the title

- But the owner(s) of both Company A and B is the same person?

Are there any public protection concerns, or possible insurance coverage concerns in these scenarios?

Discussion:

Border tow companies.

What are the requirements:

1. Government authorized tow?
Is the tow company required to have Oregon TW plates/tow business certificates on the vehicle used to impound a vehicle at the request of an Oregon agency?
2. How about motor clubs?
3. Is it the responsibility of the authorizing agency to ensure that a tow company has an Oregon tow business certificate?
4. If a company has an active Oregon tow business certificate but partners/employees Tower B who has an operation in another state, must Tower B have an Oregon tow business certificate on their tow vehicle?

Confirmation:

Short term leases between two companies are allowed when there is a written lease agreement between the two tow companies and

- If not listed on the registration of the leased vehicle, the lessee of the tow vehicle has at least one active tow business certificate registered with Oregon DMV.
- Any other provisions?

Continued Discussion:

Marketing websites:

- (1) The website provides local contact information (phone and/or address)
- (2) The name of the website does not correspond with a company registered with Secretary of State
- (3) There is no tow business certificate issued under the name used for the online website.
- (4) Research shows the website is
 - A redirect or proxy website for a tow company with at least one Oregon tow business plate.
 - The website acts as a dispatch to one or more tow companies.

Miscellaneous:

Question:

If a vehicle is impounded as part of an arrest, and charges are dropped, who pays the impound fee (for example: DUII)

Any other questions or clarifications regarding the compliance cases for review?