

HB 1492-FN - AS INTRODUCED

2026 SESSION

26-2310

06/08

HOUSE BILL            **1492-FN**

AN ACT                relative to the regulation and appeal of motor vehicle towing from public highways.

SPONSORS:            Rep. Leishman, Hills. 33; Rep. Cloutier, Sull. 6

COMMITTEE:          Transportation

---

ANALYSIS

This bill authorizes the department of safety to oversee and set fees for towing and wrecker services on state highways. It establishes an appeals process for disputes over such fees and empowers the department of safety to adopt rules to administer and enforce these provisions.

-----

Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to the regulation and appeal of motor vehicle towing from public highways.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Subdivision; Towing and Wrecker Service Fees on State Highways. Amend RSA 262 by  
2 inserting after section 40-c the following new subdivision:

3 Towing and Wrecker Service Fees on State Highways

4 262:40-d Purpose. The purpose of this subdivision is to establish departmental oversight of fees  
5 charged for the towing or removal of vehicles from state highways, to require such fees to be  
6 reasonable, and to ensure the public has access to a fair process for appealing disputed towing fees.

7 262:40-e Oversight of Towing and Wrecker Charges.

8 I. The department of safety shall oversee fees charged for the towing or removal of vehicles  
9 from state highways.

10 II. The department of safety shall establish schedules of maximum allowable fees for towing  
11 and wrecker services on state highways, ensuring fees are fair and reasonable considering costs and  
12 regional standards.

13 262:40-f Rulemaking Authority.

14 I. The commissioner of safety shall adopt rules, pursuant to RSA 541-A, to implement and  
15 enforce this subdivision, including but not limited to:

16 (a) Procedures for the approval or modification of towing or wrecker service fee  
17 schedules;

18 (b) Requirements for notice to vehicle owners regarding fees; and

19 (c) Standards for recordkeeping and reporting by towing and wrecker services.

20 262:40-g Appeals Process for Towing Fees.

21 I. Any owner or operator of a vehicle towed from a state highway may appeal a towing or  
22 wrecker fee deemed unreasonable or excessive to the department of safety.

23 II. The department of safety shall establish by rule an administrative process for review and  
24 determination of such appeals. The department's decision shall be final for purposes of  
25 administrative review.

26 262:40-h Severability. If any provision of this subdivision or the application thereof to any  
27 person or circumstances is held invalid, such invalidity shall not affect other provisions or  
28 applications of the subdivision that can be given effect without the invalid provision or application,  
29 and to this end, the provisions of this subdivision are declared to be severable.

30 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1492-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the regulation and appeal of motor vehicle towing from public highways.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	\$233,000	\$234,000	\$238,000
<i>Funding Source(s)</i>	General Fund and Highway Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill authorizes the Department of Safety to regulate and set maximum allowable fees for towing and wrecker services on state highways. The bill requires the Department to adopt rules governing fee schedules, notice to vehicle owners, and recordkeeping by towing companies. The bill also creates an administrative appeals process allowing vehicle owners or operators to challenge towing fees they believe are excessive, with the Department’s decision being final for administrative purposes. The Department states it would need two new personnel to administer this bill; one Detective Sergeant at an annual cost of approximately \$157,000 per year and one administrative secretary (SOC 43-04) at a cost of approximately \$76,000 in FY 2027, \$77,000 in FY 2028, and \$81,000 in FY 2029. The positions would be 75% general fund and 25% highway fund, however, this bill provides neither funding nor authorization for new personnel.

**AGENCIES CONTACTED:**

Department of Safety