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3 AMENDMENT TO HB34
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8 On page 5, after line 3, insert the following:

9 (3) The law enforcement officer or company hired by
10 the county or municipality may elect to place boot, booting,
11 or vehicle immobilization equipment on the vehicle in lieu of
12 towing.

13 (4) For purposes of this section, boot, booting, or
14 vehicle immobilization means the act of placing on a parked
15 motor vehicle a lockable vehicle wheel clamp or similar device
16 that is designed to be placed on a parked vehicle to prevent
17 the operation of the vehicle until the device is unlocked and
18 removed. The term includes the devices used for this purpose.
19 The devices shall be a high-visibility color, such as yellow,
20 orange, or red. No cables, chains, ropes, or other similar
21 means of vehicle immobilization shall be allowed.

22 (5) Each boot used by a vehicle immobilization
23 service shall satisfy all of the following:

- 24 a. Not be modified from the manufacturer's design.
25 b. Be maintained in a safe and good working
26 condition.

1 c. For purposes of this subdivision, reasonable and
2 necessary repairs to maintain a boot in safe and good working
3 condition or to restore it from damage shall not be deemed to
4 be modifications from the manufacturer's design.

5 (6)a. Any vehicle immobilization service engaged in
6 the business of the immobilization of vehicles may not charge
7 the owner of any immobilized vehicle or personal property in
8 excess of sixty-five dollars (\$65) per day for the removal of
9 the vehicle immobilization device or devices. The sixty-five
10 dollar (\$65) fee shall be all-inclusive and no additional fees
11 may be charged for using other equipment or for any other
12 reason.

13 b. Fees for towing or immobilization may be paid by
14 cash, check, credit card, or debit card at no additional
15 charge and the vehicle immobilization service or towing
16 service may not require that fees be paid only in cash. Proof
17 of the ability to accept these forms of payment shall be
18 submitted before obtaining a license by towing or
19 immobilization service. At every location where a booting
20 operation is conducted or where vehicle is impounded, the
21 towing or immobilization service shall have available means of
22 collecting any fees via cash, check, credit card, and debit
23 card.

24 c. If the means to accept any one form of payment is
25 unavailable at the time of immobilization or release of the
26 vehicle, any immobilized vehicles towed vehicles shall be
27 released without charge.

