

(PRE-FILED)

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By: **Delegate Patterson**

Requested: September 14, 1999

Introduced and read first time: January 12, 2000

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Towing Charges - Payment Options - Credit or Debit Cards**

3 FOR the purpose of requiring a person who operates a tow truck for hire to accept  
4 certain credit card or debit card payment for towing charges; providing that  
5 other payment methods may be accepted for payment of towing charges; making  
6 stylistic changes; and generally relating to payment methods for towing  
7 services.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 13-920  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Transportation**

16 13-920.

17 (a) (1) In this section "tow truck" means a vehicle that:

18 (i) Is a Class E (truck) vehicle that is designed to lift, pull, or carry  
19 a vehicle by a hoist or mechanical apparatus;

20 (ii) Has a manufacturer's gross vehicle weight rating of 10,000  
21 pounds or more; and

22 (iii) Is equipped as a tow truck or designed as a rollback as defined  
23 in § 11-151.1 of this article.

24 (2) In this section "tow truck" does not include a truck tractor as defined  
25 in § 11-172 of this article.

1 (b) When registered with the Administration every tow truck as defined in  
2 this section is a Class T vehicle.

3 (c) A tow truck registered under this section may be used to tow vehicles for  
4 repair, storage, or removal from the highway.

5 (d) (1) Subject to the provisions of paragraph (2) of this subsection, for each  
6 vehicle registered under this section, the annual registration fee is based on the  
7 manufacturer's gross vehicle weight rating as follows:

8 Manufacturer's Gross Weight Rating (in Pounds)	Fee
9 10,000 (or less) to 26,000	\$100
More than 26,000	\$300

10 (2) (i) The annual registration fee for a vehicle registered under this  
11 section that is used for any purpose other than that described in subsection (c) of this  
12 section shall be determined under subparagraph (ii) of this paragraph if the  
13 maximum gross weight of the vehicle or combination of vehicles:

14 1. Exceeds 18,000 pounds and the vehicle has a  
15 manufacturer's gross weight rating of 26,000 pounds or less; or

16 2. Exceeds 35,000 pounds and the vehicle has a  
17 manufacturer's gross weight rating of more than 26,000 pounds.

18 (ii) The annual registration fee shall be the greater of:

19 1. The fees set forth in paragraph (1) of this subsection; or

20 2. The fees set forth in § 13-916(b) of this subtitle.

21 (e) Notwithstanding §§ 24-104.1, 24-108, and 24-109 of this article, a tow  
22 truck registered under this section, while engaged in a tow, may move a vehicle or  
23 vehicle combination on a highway for safety reasons if:

24 (1) The tow truck and the vehicle or vehicle combination being towed  
25 comply with all applicable statutory weight and size restrictions under Title 24 of this  
26 article when measured or weighed separately; and

27 (2) The vehicle or vehicle combination is being towed by the safest and  
28 shortest practical route possible to the vehicle's destination.

29 (f) Notwithstanding any other provision of this section, while engaged in  
30 towing, a tow truck registered under this section is subject to:

31 (1) Weight restrictions imposed on restricted bridges; and

1 (2) All applicable statutory weight and size restrictions under Title 24 of  
2 this article while being operated within the limits of Baltimore City, unless the  
3 vehicle is being operated on an interstate highway.

4 (g) Except for tow trucks operated by dealers, automotive dismantlers and  
5 recyclers, and scrap processors displaying special registration plates issued under  
6 Title 13 of this article, the vehicle shall display a distinctive registration plate as  
7 authorized by the Administration.

8 (h) A person who registers a tow truck under this section or operates a tow  
9 truck in this State that is registered under the laws of another state shall:

10 (1) Obtain commercial liability insurance in the amount of at least  
11 \$100,000 per person, \$300,000 per occurrence bodily injury liability, and \$100,000 per  
12 occurrence property damage liability; and

13 (2) Provide a federal employer identification number and, if applicable to  
14 the tow truck under federal requirements:

15 (i) A U.S. Department of Transportation motor carrier number; or

16 (ii) An Interstate Commerce Commission motor carrier authority  
17 number.

18 (i) (1) Except as provided under paragraph (2) of this subsection, a person  
19 may not operate a rollback in combination with a vehicle being towed unless the  
20 rollback is registered as a tow truck.

21 (2) This subsection does not apply to a vehicle that is registered and  
22 operated in accordance with § 13-621 or § 13-622 of this article.

23 (j) (1) This subsection applies only to a vehicle required to be registered in  
24 the State.

25 (2) A person may not operate a tow truck for hire unless the tow truck is  
26 registered under this section.

27 (3) (I) A PERSON WHO OPERATES A TOW TRUCK FOR HIRE SHALL  
28 ACCEPT FOR PAYMENT OF TOWING CHARGES A CHOICE OF AT LEAST TWO TYPES OF  
29 MAJOR CREDIT CARDS OR A DEBIT CARD.

30 (II) ITEM (I) OF THIS PARAGRAPH DOES NOT PRECLUDE A PERSON  
31 WHO OPERATES A TOW TRUCK FOR HIRE FROM ACCEPTING OTHER FORMS OF  
32 PAYMENT FOR TOWING CHARGES.

33 (4) A person convicted of operating a tow truck in violation of this  
34 subsection shall be subject to a fine [of up to] NOT EXCEEDING \$3,000.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 October 1, 2000.

