

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 775
Economic Matters

(Delegate Vallario, *et al.*)

Commercial Law - Motor Vehicle Lien

This bill provides that a person who provides towing services for a motor vehicle has a lien for charges relating to the towing services provided at the request of the owner and with the owner's consent.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Meaningful.

Analysis

Current Law: A person who, with the consent of the owner, has custody of a motor vehicle and who, at the request of the owner, provides a service to or materials for the vehicle, has a lien on the vehicle for any charge incurred for any: (1) repair or rebuilding; (2) storage; or (3) tires or other parts or accessories. Such a lien is created when charges for one of the services giving rise to the lien are incurred. The lien holder may retain possession of the motor vehicle until the charges are paid or the lien is otherwise discharged. The lien is subordinate to any security interest in the vehicle.

Small Business Effect: Small towing businesses would have a lien on a vehicle to enforce payment for services rendered to owners who have requested, and consented to, towing services.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division),
Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2003
mdf/jr

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