

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 684

(Delegate Stukes, *et al.*)

Environmental Matters

Finance

---

**Task Force to Study Motor Vehicle Towing Practices**

---

This bill establishes a Task Force to Study Motor Vehicle Towing Practices, staffed by the Motor Vehicle Administration.

The bill takes effect June 1, 2008 and terminates May 31, 2009.

---

**Fiscal Summary**

**State Effect:** Any expense reimbursements for task force members and staffing costs are assumed to be minimal and absorbable within existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Bill Summary:** The task force has to study:

- State and local laws governing towing practices, including the storage and disposal of towed vehicles;
- the costs, benefits, and feasibility of State licensure or registration for the towing industry;
- issues related to notice given by a private property owner to the motor vehicle owner before towing;

- issues related to notice given by a police department or a private tower to the vehicle owner, a secured party, or an insurer of an abandoned motor vehicle in police custody;
- issues related to State preemption of local authority governing the towing or removal of vehicles; and
- any other issues that are considered relevant to motor vehicle towing practices in the State.

A report is due to the Governor and the General Assembly by December 31, 2008.

**Current Law/Background:** State laws regarding towing of vehicles from parking lots apply only to Baltimore City or Baltimore County.

Otherwise, a person is prohibited from abandoning a vehicle on any public property or any private property (other than the person's own property) without permission of the property owner or lessee. A police department may take any abandoned vehicle into custody. If a vehicle is abandoned in a garage, special reporting requirements apply to garage keepers. A garage keeper who complies with those notice requirements is eligible for reimbursement of costs for servicing, storage, and repair of the abandoned vehicle. A police department may use its own personnel, equipment, and facilities or the equipment or facilities of other persons for removing, preserving, and storing abandoned vehicles. However, a police department may not authorize the use of a tow truck from another person unless the tow truck is registered with the State.

State law contains provisions regarding notice requirements to the last known registered owner and secured parties, including notice by publication if the identity of the last known registered owner or the owner's address cannot be determined. An owner or secured party must reclaim an abandoned vehicle within a specified time limit or the owner or secured party waives right, title, and interest in the vehicle.

Except as otherwise specified, if an abandoned vehicle is not reclaimed, the police department that took possession of the vehicle has to sell it at public auction. The buyer at such an auction takes ownership of the vehicle free and clear of any previous claim of ownership.

Under specified circumstances, if the money collected from the sale of an abandoned vehicle is insufficient to reimburse the police department or its agent for its expenses to tow, store, and preserve the vehicle, certain costs may be charged to the vehicle owner or the person to whom the vehicle was transferred.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 18, 2008  
ncs/ljm Revised - Enrolled Bill - April 24, 2008

---

Analysis by: Karen D. Morgan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510