

HOUSE BILL 978

R7

9lr2407

By: **Delegate Niemann**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Motor Vehicle Towing Practices – Extension**

3 FOR the purpose of extending the expiration date for the Task Force to Study Motor
4 Vehicle Towing Practices; extending the due date by which the Task Force is
5 required to report its findings and recommendations; and generally relating to
6 the Task Force to Study Motor Vehicle Towing Practices.

7 BY repealing and reenacting, with amendments,
8 Chapter 514 of the Acts of the General Assembly of 2008
9 Section 1 and 2

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

12 **Chapter 514 of the Acts of 2008**

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (a) There is a Task Force to Study Motor Vehicle Towing Practices in the
16 State.

17 (b) The Task Force consists of the following members:

18 (1) one member of the Senate of Maryland, appointed by the President
19 of the Senate;

20 (2) one member of the House of Delegates, appointed by the Speaker of
21 the House;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) one representative from the Motor Vehicle Administration,
2 appointed by the Motor Vehicle Administrator;

3 (4) two representatives from the motor vehicle insurance industry,
4 appointed by the Governor;

5 (5) two representatives from two different county police departments
6 who are involved with the county's towing policies and the disposition of abandoned
7 motor vehicles, appointed by the Governor;

8 (6) two representatives of the Towing and Recovery Professionals of
9 Maryland, appointed by the president of that organization;

10 (7) two representatives of the Maryland Association of Counties,
11 appointed by the president of the Association;

12 (8) one representative of the Maryland Retailers Association,
13 appointed by the president of the Association;

14 (9) one representative of the Maryland Bankers Association, appointed
15 by the president of the Association;

16 (10) one representative of the Maryland Automobile Dealers
17 Association, appointed by the president of the Association;

18 (11) one representative of the Apartment and Office Building
19 Association, appointed by the president of the Association;

20 (12) one representative of the Maryland Auto and Truck Recyclers
21 Association, appointed by the Executive Director of the Association;

22 (13) one representative of a Maryland branch of the American
23 Automobile Association (AAA) appointed by the branch president of the Association;

24 (14) two representatives of the Maryland Municipal League, appointed
25 by the Executive Director of the League; and

26 (15) the following members appointed by the Governor:

27 (i) two members representing the interests of commercial and
28 residential property owners; and

29 (ii) two members from the general public.

30 (c) The Governor shall designate the chair of the Task Force.

31 (d) The Motor Vehicle Administration shall provide staff for the Task Force.

1 (e) A member of the Task Force:

2 (1) may not receive compensation as a member of the Task Force; but

3 (2) is entitled to reimbursement for expenses under the Standard
4 State Travel Regulations, as provided in the State budget.

5 (f) The Task Force shall study:

6 (1) the State and local laws governing towing practices, including the
7 storage and disposal of towed vehicles, and any recommended changes to these laws;

8 (2) the costs, benefits, and feasibility of a State program of licensure or
9 registration for the towing industry;

10 (3) issues related to notice given by a private property owner to the
11 owner of a motor vehicle before towing the vehicle;

12 (4) issues related to notice given by a police department to the motor
13 vehicle owner, a secured party, or an insurer of an abandoned motor vehicle in police
14 custody;

15 (5) issues related to notice given by a private tower to the motor
16 vehicle owner, a secured party, an insurer, or the local police department of a towed
17 vehicle in the possession of a private tower;

18 (6) issues related to State preemption of local authority governing the
19 towing or removal of motor vehicles; and

20 (7) any other issues that the Task Force considers relevant to motor
21 vehicle towing practices in the State.

22 (g) On or before December 31, [2008] **2009**, the Task Force shall report its
23 findings and recommendations to the Governor and, in accordance with § 2-1246 of
24 the State Government Article, the General Assembly.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 June 1, 2008. It shall remain effective for a period of 1 year **AND 7 MONTHS** and, at
27 the end of [May] **DECEMBER** 31, 2009, with no further action required by the General
28 Assembly, this Act shall be abrogated and of no further force and effect.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2009.