

HOUSE BILL 1183

R7

0lr2326

By: **Delegate Oaks**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Access to and Removal of Towed Vehicles**

3 FOR the purpose of requiring certain persons who take an abandoned vehicle into
4 custody to make the vehicle available to certain persons for certain purposes;
5 authorizing certain persons to refuse to allow removal of a towed vehicle until
6 full payment has been made for towing and storage charges; requiring certain
7 persons to accept certain forms of payment for outstanding towing or storage
8 charges; and generally relating to access to and removal of towed vehicles.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 25–203
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2009 Supplement)

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

16 **Article – Transportation**

17 25–203.

18 (a) A police department may take any abandoned vehicle into custody. For
19 this purpose, the police department may use its own personnel, equipment, and
20 facilities or, subject to the provisions of subsection (b) of this section, use other
21 persons, equipment, and facilities for removing, preserving, and storing abandoned
22 vehicles.

23 (b) A police department may not authorize the use of a tow truck under
24 subsection (a) of this section unless the tow truck is registered under § 13–920 of this
25 article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(c) (1) IN THIS SUBSECTION, “PERSON OF INTEREST” MEANS:**

2 **(I) THE OWNER OF A TOWED VEHICLE;**

3 **(II) AN AGENT OF THE OWNER OF A TOWED VEHICLE;**

4 **(III) AN AGENT OF AN INSURANCE COMPANY REPRESENTING**
5 **ANY PARTY INVOLVED IN A COLLISION THAT RESULTED IN A**
6 **POLICE-REQUESTED TOW;**

7 **(IV) A PERSON WHO HAS A SECURITY INTEREST IN A TOWED**
8 **VEHICLE; OR**

9 **(V) ANY OTHER PERSON WHO IS ENTITLED TO USE AND**
10 **POSSESSION OF A TOWED VEHICLE.**

11 **(2) A POLICE DEPARTMENT THAT TAKES AN ABANDONED**
12 **VEHICLE INTO CUSTODY SHALL MAKE THE VEHICLE AVAILABLE TO A PERSON**
13 **OF INTEREST FOR:**

14 **(I) REMOVAL TO ANOTHER LOCATION FOR REPAIR,**
15 **STORAGE, OR DISPOSAL;**

16 **(II) INSPECTION; OR**

17 **(III) RETRIEVAL OF PERSONAL PROPERTY IN THE MOTOR**
18 **VEHICLE.**

19 **(3) A PERSON THAT CONTRACTS WITH A POLICE DEPARTMENT TO**
20 **TAKE AN ABANDONED VEHICLE INTO CUSTODY SHALL MAKE THE VEHICLE**
21 **AVAILABLE TO A PERSON OF INTEREST OR THE POLICE DEPARTMENT FOR:**

22 **(I) REMOVAL TO ANOTHER LOCATION FOR REPAIR,**
23 **STORAGE, OR DISPOSAL;**

24 **(II) INSPECTION; OR**

25 **(III) RETRIEVAL OF PERSONAL PROPERTY IN THE VEHICLE.**

26 **(4) A POLICE DEPARTMENT OR A PERSON THAT CONTRACTS WITH**
27 **A POLICE DEPARTMENT TO TAKE AN ABANDONED VEHICLE INTO CUSTODY:**

1 **(I) MAY REFUSE TO ALLOW REMOVAL OF A TOWED**
2 **VEHICLE TO ANOTHER LOCATION UNTIL FULL PAYMENT HAS BEEN MADE FOR**
3 **ANY OUTSTANDING TOWING OR STORAGE CHARGES; AND**

4 **(II) SHALL ACCEPT PAYMENT FOR OUTSTANDING TOWING**
5 **OR STORAGE CHARGES FOR ANY TOWED VEHICLE IN THE FORM OF CASH,**
6 **INSURANCE COMPANY CHECK, CERTIFIED CHECK, MONEY ORDER, DEBIT CARD,**
7 **AND AT LEAST ONE COMMONLY USED, NATIONALLY RECOGNIZED CREDIT CARD.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.