

SB0613/423925/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 613
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Nonconsensual**” and substitute “**Police-Initiated**”; in lines 5 and 7, in each instance, strike “nonconsensual” and substitute “police-initiated”; and in line 15, strike “Nonconsensual” and substitute “Police-Initiated”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 4, inclusive; in lines 5, 8, 11, 18, and 23, strike “**(3)**”, “**(4)**”, “**(5)**”, “**(7)**”, and “**(8)**”, respectively, and substitute “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, and “**(7)**”, respectively; in line 10, strike “**20,000**” and substitute “**26,000**”; in line 13, strike “**BETWEEN 10,001 POUNDS AND 20,000 POUNDS**” and substitute “**FROM OVER 10,000 POUNDS TO 26,000 POUNDS**”; strike in their entirety lines 14 through 17, inclusive; after line 22, insert:

“(6) “POLICE-INITIATED TOWING” MEANS THE TOWING OR RECOVERY OF A COMMERCIAL MOTOR VEHICLE WHICH WAS AUTHORIZED, REQUESTED, OR DISPATCHED BY THE DEPARTMENT.”;

and in line 24, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”.

On page 3, strike beginning with “ADOPT” in line 5 down through “**(3)**” in line 12 and substitute “REQUIRE A TOW COMPANY APPLYING TO THE DEPARTMENT’S TOW LIST FOR MEDIUM- AND HEAVY-DUTY TOWING TO SUBMIT A RATE SHEET THAT DOES NOT INCLUDE PER POUND BILLING;”

(2) REQUIRE A TOW COMPANY THAT MAKES AN APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION TO BAN THE USE OF PER POUND BILLING BY OCTOBER 1, 2023;

(3) REQUIRE THE DEPARTMENT TO MAKE EACH TOW COMPANY'S RATE SHEET REQUIRED UNDER ITEM (1) OF THIS SUBSECTION AVAILABLE ON REQUEST; AND

(4);

in lines 15 and 21, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; strike beginning with “; AND” in line 17 down through “REQUEST” in line 19; in line 21, strike “APPROVED”; and in the same line, after “RATES” insert “ON THE RATE SHEET SUBMITTED TO THE DEPARTMENT”.

On page 4, in line 2, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; strike in their entirety lines 6 and 7; in lines 8, 10, 12, 14, and 16, strike “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in lines 14 and 20, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; and in lines 18 and 25, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”.

On page 5, in lines 2 and 6, in each instance, strike “NONCONSENSUAL” and substitute “POLICE-INITIATED”; strike beginning with “THERE” in line 10 down through “(II)” in line 12; in line 13, strike “VEHICLE AND”; in the same line, after “CARGO” insert “IMMEDIATELY TO THE OWNER OR THE OWNER'S AUTHORIZED AGENT”; in the same line, after “SUBSECTION” insert “ON SUBMISSION OF:

1. PROOF OF OWNERSHIP IF THE CARGO DOES NOT BELONG TO THE TRANSPORTATION COMPANY; OR

2. IF THE CARGO BELONGS TO THE TRANSPORTATION COMPANY:

A. A LETTER FROM THE INSURANCE COMPANY STATING THERE IS COVERAGE FOR THE RELEVANT CLAIM OR ACCIDENT AND INCLUDING, AT MINIMUM, A CLAIM NUMBER, POLICY NUMBER, AND POLICY LIMIT; OR

B. IF AN INSURANCE POLICY REQUIRED UNDER ITEM 2 OF THIS ITEM IS NOT HIGH ENOUGH TO COVER THE COST OF THE CARGO CLEAN-UP, A SIGNED LETTER OF GUARANTEE FROM THE TRANSPORTATION COMPANY; AND

(II) BEGINNING OCTOBER 1, 2023, THE AUTHORIZED TOW COMPANY SHALL RELEASE THE VEHICLE TO THE OWNER OR THE OWNER'S AUTHORIZED AGENT ON PAYMENT OF 20% OF THE INVOICE BY THE VEHICLE OWNER OR OPERATOR OR THE OWNER'S DESIGNEE.

(3) A PAYMENT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION DOES NOT ELIMINATE THE REMAINDER OF THE FINANCIAL OBLIGATION TO THE AUTHORIZED TOW COMPANY";

and strike in their entirety lines 14 through 23, inclusive.