

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 545

(Senators Muse and Jackson)

Judicial Proceedings

Environment and Transportation

Towing or Removal of Vehicles - Reclamation Hours

This bill limits the hours during which a person in possession of a vehicle that has been towed or removed from a parking lot is required to provide an opportunity for the vehicle owner (or the owner's agent) to retake possession of the vehicle. Under the bill, the vehicle must be available for reclamation from, at a minimum, 6:00 a.m. to midnight (rather than 24 hours per day). The bill also makes a conforming change to associated signage requirements.

Fiscal Summary

State Effect: Minimal increase in general and special fund expenditures in FY 2024 to the extent signage changes are necessary as a result of the bill's changes. Revenues are not affected.

Local Effect: Minimal increase in local government expenditures in FY 2024 to the extent signage changes are necessary as a result of the bill's changes. Revenues are not affected.

Small Business Effect: Meaningful.

Analysis

Current Law: The owner or operator of a parking lot (or the owner's or operator's agent) may not have a vehicle towed or otherwise removed from the parking lot unless the owner, operator, or agent has conspicuously placed signs that indicate, among other things, that State law requires the vehicle be available for reclamation 24 hours per day, 7 days per week.

Generally, if a vehicle is towed or otherwise removed from a parking lot, the person in possession of the vehicle (1) must immediately deliver the vehicle directly to the storage facility stated on the required signage; (2) may not move the towed vehicle from that storage facility to another storage facility for at least 72 hours; and (3) must provide the owner of the vehicle or the owner's agent with immediate and continuous opportunity (24 hours per day, 7 days per week) to retake possession.

Small Business Effect: The bill significantly reduces the required hours of operation for any companies involved in the towing of vehicles. Therefore, to the extent any such businesses modify their hours of operation as a result of the bill, the bill has a meaningful impact.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 483 of 2021 and HB 1384 of 2020.

Designated Cross File: None.

Information Source(s): Harford and Montgomery counties; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2023
rh/ljm Third Reader - March 17, 2023

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