

February 8, 2022

Delegate Kumar Barve
Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, Maryland 21401

Re: Opposition to HB 487, Commercial Vehicles - Nonconsensual Towing - Requirements

Dear Mister Chair and Members of the House Environment and Transportation Committee:

On behalf of a consortium of towing companies located in the greater Baltimore area, including Frankford Towing Inc., Mel's Towing and Service Center Inc., Tauber's Towing, and Ted's Towing Service Inc., I respectfully submit my opposition to House Bill 487.

This bill proposes unduly restrictive, "one size fits all" mandates on services contracted for by the Maryland State Police to remove and recover commercial vehicles and their cargo from Maryland's roads. In many if not most cases, commercial vehicle towing and recovery jobs involve the complicated towing, recovery and clean-up of large, heavy duty vehicles - trucks, buses, oversized cargo, and the like.

Ted's Towing Service Inc. ("Ted's Towing") has engaged specifically in heavy duty towing services in the Baltimore area since 1931, and Tauber's Towing has operated in Anne Arundel County since 1947. We are licensed tow companies for the Maryland State Police, Baltimore City Police Department, and the Anne Arundel and Baltimore county police departments. Ted's alone has approximately 47 vehicles in its fleet, including four heavy duty rotators, 18 heavy duty tow trucks, seven medium duty rollbacks, seven tractors and 11 trailers. Ted's also has an array of miscellaneous equipment used for heavy duty towing and recovery jobs such as forklifts, roll-off cans, arrow boards, light towers, skid steers, and tele-handlers. Needless to say, none of this equipment is inexpensive, nor easy, to purchase, insure, and maintain - especially during a global pandemic.

Generally, heavy duty towing involves one or both of two services: clearing roadways of large disabled vehicles, and recovery services. The latter includes a wide range of innumerable, often unforeseeable situations, including but not limited to righting and removing large vehicles overturned on the side of the road; winching and pulling large vehicles out of ditches and waterways; gathering and removing materials and cargo of all sorts, hazardous and otherwise, from public roadways; and reloading tractor trailers with said disrupted cargo. That cargo can include any type of material you could possibly imagine. See, for one example, the *New York Times'* coverage of last month's truck crash in Pennsylvania, ["Questions Remain After Highway Crash Involving Monkeys."](#)

In short, towing companies like Ted's Towing must respond immediately to significantly emergent events at a moment's notice, not knowing beforehand what to expect, what equipment or materials need be involved, or whether any lives stand at stake.

Therefore, it is entirely unfeasible to predetermine, much less codify in law, what our companies may charge, what equipment they may bring, or how many hours they may work to remedy these life or death emergencies.

A recent press release issued by the Coalition Against Insurance Fraud in support of this bill includes the following quote from Robert Passmore, vice president of auto & claims policy at the American Property Casualty Insurance Association:

Insurance is subject to a state-based regulatory system, which benefits both consumers and insurers. It is not unreasonable to think the towing industry should have to play by some rules and we think it can be done in a way that would minimize the impact on towing companies that do things the right way.



We agree. Ted's Towing and Tauber's Towing are two such companies that "do things the right way" - and have for nearly a century. This bill has absolutely nothing to do with righting insurance fraud (which is already illegal) and everything to do with unreasonably constraining our first responders' partners in keeping our highways and motorists safe. We stand ready and willing to participate in meaningful conversations aimed at protecting our roads, law enforcement, and law-abiding contractors like ourselves. For one example: insurance companies could insist towing companies provide photographic evidence of equipment they used along with their invoices. This would be reasonable and easy.

Unfortunately, this legislation does not provide reasonable constraints to protect against insurance fraud, but rather, hamstring good businesses and partners to law enforcement in keeping our streets and motorists safe. Therefore, we respectfully request an unfavorable report on House Bill 487.



Sincerely,
Paula Protani
Owner/Partner
Frankford Towing, Mel's Towing, Ted's Towing, and Tauber's Towing