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February 24, 2022

Senator William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB 613 – FAVORABLE – Commercial Vehicles – Nonconsensual Towing – Requirements

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Asphalt Association (MAA) is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 613 would require the Maryland State Police to establish a schedule of approved towing rates for "nonconsensual tows," in which a company is dispatched to tow a vehicle that has been involved in a collision, along with a comprehensive complaint and disciplinary process to handle allegations of violations. The bill would also give vehicle owners and operators the option to choose their own towing company in these circumstances, so long as the company in question can arrive on the scene and tow the vehicle safely and within a reasonable amount of time. Lastly, the bill would prohibit the use of per pound billing based on the registered weight of the vehicle and clarify that nonconsensual tows do not create any lien on the equipment, vehicle, or cargo being towed.

MAA supports SB 613 because it would increase consumer choice and improve transparency in the towing industry. Currently, neither the Maryland State Police nor the Transportation Article of the Maryland Code provide any consumer safeguards against abusive practices used by fraudulent towing companies engaged in nonconsensual towing. Nothing prevents these towers from charging excessive rates because the motor carrier has no ability to select the tower of its choice, and many then file illegal liens on the property to force drivers and operators to pay the inflated charges. This bill would standardize the nonconsensual towing practice and implement a process to address any grievances associated with it.

We appreciate you taking the time to address this important issue, and we urge a favorable report on Senate Bill 613.

Thank you,

Marshall Klinefelter
President
Maryland Asphalt Association