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Senate Bill 883 Post-Towing Procedure Workgroup-Establishment

April 1, 2025 Position: Favorable

Chairman and Members Environment and Transportation,

Henry's Wrecker Service (Henry's) strongly supports Senate Bill 883: Post-Towing Procedure Workgroup-Establishment. This bill establishes the Post-Towing Procedure Workgroup, staffed by the Department of Commerce, to identify and examine post-towing procedures relating to the towing or removal of motor vehicles from privately owned parking lots in accordance with Title 21, Subtitle 10A of the Transportation Article. In conducting the examination, the workgroup will provide recommendations on what measures would need to be in place or be required to comply with due process requirements under State and federal law in order to establish a legally enforceable possessory or statutory lien as part of post towing procedures, including notice requirements.

The Maryland General Assembly has instituted stringent regulations governing parking lot signage, encompassing laws that dictate the dimensions, placement, and specific content required on signs. These regulations inform drivers of the potential for towing.

Currently, conflicting opinions from the Attorney General related to the towing, storage and reasonable payments have led to opportunistic class action lawsuits. These lawsuits do not assert any violations of state or local towing regulations but focus solely on the holding of vehicles until payment is made. It is essential that the proposed workgroup study and address current gaps in the law to reach a solution for consumers and the tow industry.

Thank you for your consideration of Senate Bill 883 and we respectfully request a FAVORABLE report to create the proposed workgroup.

