



Testimony to the Senate Judicial Proceedings Committee
SB883 Commercial Law - Statutory Liens - Motor Vehicles Towed or Removed From Parking Lots
Position: Unfavorable

March 4, 2025

The Honorable Senator William Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401
cc: Members, Judicial Proceedings Committee

Honorable Chair Smith and Members of the Committee:

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a statewide coalition of individuals and organizations that advances economic rights and equity for Maryland families through research, education, direct service, and advocacy. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

SB883 seeks to overturn decisions established in multiple Maryland Courts¹ that clearly state that a trespass tow cannot hold onto a vehicle until all towing fees have been paid. The reasoning is clear-to do so creates perverse incentives for unscrupulous actors to tow more vehicles whether the tow is proper or not because they will be paid regardless.

SB883 is unconstitutional, violating the Maryland Constitution's due process clause. Since SB 883 provides for neither notice nor a hearing, it is "manifestly defective" and, therefore, unconstitutional.

SB883 will increase costs to counties and burden already overtaxed courts with these cases. The court ruled that a hearing must take place within 24 hours. Should SB883 pass, to achieve more Judges, administrators and office space are all required. For virtually every jurisdictions, the costs in each county will be significant.

For all these reasons, we strongly oppose SB883 and urge an unfavorable report,

Best,

Marceline White
Executive Director

¹ (*T.R. v. Lee*, 55 Md. App. 629 (1983) *Cade, t/a G&G Towing v. Montgomery County*, 83 Md. App. 419, 427 (1990))
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Tax ID 52-2266235

Economic Action Maryland Fund is a 501(c)(3) nonprofit organization and your contributions are tax deductible to the extent allowed by law.



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