



Senate Bill 883

Commercial Law - Statutory Liens - Motor Vehicles Towed or Removed From Parking Lots

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: March 4, 2025

From: Karrington Anderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 883. This bill would create a statutory possessory lien on vehicles towed from privately owned parking lots, allowing private towing companies to retain vehicles until all charges are paid.

Under current law, towing companies do not have the legal authority to hold a vehicle as collateral for unpaid towing and storage fees. Instead, they must use standard commercial debt collection processes. SB 883 would grant them an extraordinary power that has been repeatedly rejected by the General Assembly and that presents significant policy and constitutional concerns.

Towing and vehicle impoundment are already confusing and frustrating for residents. SB 883 would erode consumer protections by making it harder for vehicle owners—especially those with limited financial means—to reclaim their cars. Without access to their vehicles, residents may face barriers to employment, healthcare, and other essential needs.

Beyond its policy implications, SB 883 raises serious constitutional concerns regarding due process. The Maryland Attorney General's Office has previously issued written acknowledgment of constitutional issues with similar legislation. Allowing a private company to hold someone's property until payment is made—without adequate legal safeguards—could violate fundamental property rights.

Maryland counties are committed to fair and transparent processes that protect residents. SB 883 would create an unprecedented statutory lien that has been repeatedly rejected by policymakers and presents serious legal and consumer protection concerns.

For these reasons, MACo urges an **UNFAVORABLE** report on SB 883.