

SENATE BILL 578

E4

6lr3125
CF HB 30

By: **Senator James**
Introduced and read first time: February 4, 2026
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Department of State Police – Police-Initiated Towing –**
3 **Alterations**

4 FOR the purpose of altering certain provisions related to the rates the Department of State
5 Police sets for towing companies involved in certain police-initiated towing to
6 include the towing and recovery of certain vehicles; and generally relating to
7 police-initiated towing of motor vehicles.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 2–314 and 2–314.1
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2025 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 2–314.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Approved rates” means the maximum rates approved by the
19 Department that apply to police-initiated towing and recovery services.

20 (3) “Authorized tow company” means a company providing towing and
21 recovery services at the request of the Department and designated on the tow list.

22 (4) “Heavy-duty towing” means towing and recovery of a vehicle including
23 trailers and semitrailers with a gross vehicle weight rating over 26,000 pounds.

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1 (5) "LIGHT-DUTY TOWING" MEANS TOWING AND RECOVERY OF A
2 VEHICLE INCLUDING TRAILERS OR SEMITRAILERS WITH A GROSS VEHICLE WEIGHT
3 RATING OF 10,000 POUNDS OR LESS.

4 [(5)] (6) "Medium-duty towing" means towing and recovery of a vehicle
5 including trailers or semitrailers with a gross vehicle weight rating from over 10,000
6 pounds to 26,000 pounds.

7 [(6)] (7) "Per pound billing" means a method of calculating a fee for
8 towing and recovery services using a formula that considers the weight of the vehicle,
9 equipment, or cargo that is the subject of the towing and recovery and multiplies the weight
10 of the vehicle, equipment, or cargo by a monetary amount.

11 [(7)] (8) "Police-initiated towing" means the towing or recovery of a
12 [commercial] motor vehicle which was authorized, requested, or dispatched by the
13 Department.

14 [(8)] (9) "Recovery" means winching, hoisting, up-righting, removing, or
15 otherwise relocating a vehicle when the vehicle is found in a location, state, or position in
16 which it cannot be removed from the location, state, or position using only the vehicle's own
17 power, even if it were in complete operating condition.

18 [(9)] (10) "Tow list" means the list of towing businesses authorized by the
19 Department to perform police-initiated towing services of disabled or abandoned
20 commercial vehicles within the Department's jurisdiction.

21 [(10)] (11) "Towing" means using another vehicle to move or remove a
22 vehicle.

23 (b) The Department shall:

24 (1) establish and maintain a tow list, by county, of qualifying tow
25 companies for use by the Department in carrying out the duties of this subtitle; and

26 (2) make the tow list available to the public on request.

27 (c) The Department may adopt regulations to establish standards for tow
28 companies, including application procedures and minimum qualification requirements, and
29 must include on the list all qualifying tow companies.

30 (d) The Department shall:

31 (1) require a tow company that is on the tow list to ban the use of per pound
32 billing by October 1, 2023;

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1 (2) establish the approved rates for **LIGHT-**, medium-, and heavy-duty
 2 towing and recovery that may be charged by a tow company on the tow list ~~by January 1,~~
 3 ~~2024~~; and

4 (3) develop a process to receive, investigate, and adjudicate complaints
 5 from a vehicle owner or operator or the owner's designee against an authorized tow
 6 company regarding the police-initiated towing of a commercial motor vehicle, including a
 7 process to suspend or remove an authorized tow company from the tow list.

8 (e) (1) An authorized tow company may charge less than but may not charge
 9 more than the approved rates authorized by the Department for a police-initiated towing
 10 and recovery.

11 (2) **THE APPROVED RATES FOR LIGHT-DUTY TOWING AND RECOVERY**
 12 **MAY NOT EXCEED A PERCENTAGE OF THE 80% OF THE MAXIMUM APPROVED RATES FOR MEDIUM-DUTY**
 13 **TOWING AND RECOVERY CHARGED BY A TOW COMPANY.**

14 (f) If a vehicle owner or the owner's designee requests the use of a specific towing
 15 company, the Department shall honor that request and allow the vehicle owner to engage
 16 the services of the requested towing company except when:

17 (1) the requested towing company cannot arrive at the location of the
 18 vehicle within a reasonable time period;

19 (2) a traffic safety problem exists and the requested towing company
 20 cannot arrive at the location within 30 minutes of a police employee's arrival at the location
 21 of the vehicle; or

22 (3) the vehicle is disabled in the roadway as a result of a collision or vehicle
 23 fire and the requested towing company cannot arrive within 30 minutes of a police
 24 employee's arrival at the location of the vehicle.

25 2-314.1.

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) "Approved rates" has the meaning stated in § 2-314 of this subtitle.

28 (3) "Committee" means the Committee on Rate Setting and Complaint
 29 Resolution for Police-Initiated **LIGHT-DUTY**, Medium-Duty, and Heavy-Duty Towing and Recovery.

30 (4) "Police-initiated towing" has the meaning stated in § 2-314 of this
 31 subtitle.

32 (5) "Recovery" has the meaning stated in § 2-314 of this subtitle.

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1 (b) There is a Committee on Rate Setting and Complaint Resolution for
 2 Police-Initiated LIGHT-DUTY, Medium-Duty, and Heavy-Duty Towing and Recovery.

3 (c) The Committee consists of the following members:

4 (1) two representatives of the Towing and Recovery Professionals of
 5 Maryland, appointed by the President of the Towing and Recovery Professionals of
 6 Maryland;

7 (2) a representative of the Maryland Motor Truck Association, appointed
 8 by the President of the Maryland Motor Truck Association;

9 (3) a representative of the Owner-Operator Independent Drivers
 10 Association, appointed by the President of the Owner-Operator Independent Drivers
 11 Association;

12 (4) a representative of the Maryland Transportation Authority Police,
 13 appointed by the Secretary of Transportation;

14 (5) a representative of the State Highway Administration, appointed by the
 15 Administrator of the State Highway Administration; and

16 (6) a representative of the Maryland Insurance Administration, appointed
 17 by the Insurance Commissioner.

18 (d) (1) A member of the Committee shall be appointed for a 3-year term.

19 (2) A member of the Committee may be reappointed at the end of the
 20 member's term.

21 (e) The Department shall provide staff support for the Committee.

22 (f) A member of the Committee:

23 (1) may not receive compensation as a member of the Committee; but

24 (2) is entitled to reimbursement for expenses under the Standard State
 25 Travel Regulations, as provided in the State budget.

26 (g) The Committee shall:

27 (1) ~~on or before December 1, 2022,~~ recommend approved rates **FOR LIGHT-DUTY,**
 28 **MEDIUM-DUTY, AND HEAVY-DUTY TOWING AND RECOVERY** to the Department that
 29 should be charged for police-initiated towing and recovery services;

30 (2) meet at least once every 3 years to review and consider modification of
 31 the approved rates;

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1 (3) request information and comments from other parties of interest to
2 assist with its work;

3 (4) recommend to the Department a process for resolving towing
4 complaints; ~~and~~

5 (5) EXAMINE AND REPORT ON INSURANCE MATTERS RELATED TO VEHICLES REGISTERED AND
INSURED OUT OF STATE;

(6) EXAMINE AND REPORT ON INSURANCE MATTERS RELATED TO COST AND
CLEANUP OF CARGO AND DEBRIS; AND

6 (7) make any additional recommendations to the Department that the
Committee considers appropriate.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2026.