

Senate Bill 390

Sponsored by Senator GORDLY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires that landlord or landlord's agent give tenant 24 hours' notice before tenant's motor vehicle may be removed from rental property parking space. Prohibits removal of vehicle if tenant takes actions specified in notice. Makes landlord liable for towing charges and storage fees incurred by tenant as result of improper removal of tenant's vehicle.

A BILL FOR AN ACT

1
2 Relating to removal of tenant vehicles.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 90.**

5 **SECTION 2. (1) If a landlord or landlord's agent knows or should know that a motor ve-**
6 **hicle parked on rental property belongs to a tenant of the property, the landlord or agent**
7 **may not remove the vehicle or have the vehicle removed from a marked or unmarked park-**
8 **ing space on the property unless the landlord or agent has provided the tenant with at least**
9 **24 hours' actual notice stating:**

10 (a) **That the vehicle is subject to removal;**

11 (b) **The reason the vehicle is subject to removal;**

12 (c) **The date and time after which removal may occur; and**

13 (d) **The actions by the tenant that are necessary to prevent removal of the vehicle.**

14 (2) **A landlord or landlord's agent may not remove a motor vehicle or have a motor ve-**
15 **hicle removed if the tenant has taken all actions that the notice provided under subsection**
16 **(1) of this section states to be necessary to prevent removal of the vehicle.**

17 (3) **The notice required by subsection (1) of this section is in addition to any notice re-**
18 **quired under ORS 98.812 or 98.830.**

19 (4) **If a landlord or landlord's agent violates subsection (1) or (2) of this section, the**
20 **landlord is liable to the tenant for all towing charges and storage fees incurred by the tenant**
21 **due to removal of the vehicle.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.