

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 431

By COMMITTEE ON CONSUMER PROTECTION

June 5

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 19 and delete page 2 and insert:

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

3 **“SECTION 2. (1) A landlord may have a motor vehicle removed from the premises only**  
4 **in compliance with this section and either ORS 98.810 to 98.818 or ORS 98.830, 98.835 and**  
5 **98.840.**

6 **“(2) Except as provided in ORS 90.425 regarding abandoned vehicles, a landlord may have**  
7 **a motor vehicle removed from the premises without notice to the owner or operator of the**  
8 **vehicle only if the vehicle:**

9 **“(a) Blocks or prevents access by emergency vehicles;**

10 **“(b) Blocks or prevents entry to the premises;**

11 **“(c) Violates a prominently posted parking prohibition;**

12 **“(d) Blocks or is unlawfully parked in a space reserved for persons with disabilities;**

13 **“(e) Is parked in an area not intended for motor vehicles including, but not limited to,**  
14 **sidewalks, lawns and landscaping;**

15 **“(f) Is parked in a space reserved for tenants and does not display a parking tag, sticker**  
16 **or other device, as provided by subsection (3) of this section; or**

17 **“(g) Is parked in a specific space assigned to a tenant, as provided by subsection (4) of**  
18 **this section.**

19 **“(3) A landlord may have a motor vehicle removed from the premises under subsection**  
20 **(2)(f) of this section only if the landlord:**

21 **“(a) Provides parking tags, stickers or other devices that identify vehicles that are au-**  
22 **thorized to be parked on the premises; and**

23 **“(b) Enters into written agreements with the owners or operators of vehicles authorized**  
24 **to park on the premises that:**

25 **“(A) Authorize the landlord to have a vehicle removed from the premises without notice**  
26 **for failing to display the parking tag, sticker or other device;**

27 **“(B) Unless the information is disclosed on prominent signs posted on the premises, dis-**  
28 **close to the owners or operators of authorized vehicles the name, address and contact in-**  
29 **formation of the tow company that is authorized to remove vehicles from the premises; and**

30 **“(C) Specify whether guest parking is allowed and, if guest parking is allowed, describe**  
31 **methods for identifying guest parking spaces or identifying authorized guest vehicles.**

32 **“(4) If a landlord assigns a specific parking space to a tenant, the landlord may have a**  
33 **vehicle towed under subsection (2)(g) of this section from the assigned parking space only**  
34 **with the agreement of the tenant. The landlord may not require the tenant to agree to**  
35 **towing.**

1       “(5) A landlord may have a motor vehicle that is inoperable, but otherwise parked in  
2 compliance with an agreement between the landlord and the owner or operator of the vehi-  
3 cle, removed from the premises if the landlord affixes a prominent notice to the vehicle  
4 stating that the vehicle will be towed if the vehicle is not removed or otherwise brought into  
5 compliance with the agreement. The landlord must affix the notice required by this sub-  
6 section at least 72 hours before the vehicle may be removed.

7       “(6) A landlord may not have a motor vehicle removed under this section because the  
8 vehicle’s registration has expired or is otherwise invalid.

9       “(7) This section does not:

10      “(a) Apply to a landlord of a facility.

11      “(b) Affect the obligations imposed on a landlord under ORS 98.810 to 98.818 or under ORS  
12 98.830, 98.835 and 98.840.”

13

---