75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session STAFF MEASURE SUMMARY Senate Committee on Consumer Protection and Public Affairs

FISCAL: No fiscal impact Action: Do Pass with Amendments to the A-Eng. Measure (Printed B-Eng.) Vote: 5 - 0 - 0 Burdick, George, Girod, Rosenbaum, Bonamici Yeas: Navs: 0 Exc.: 0 **Prepared By:** Lori Brocker, Administrator **Meeting Dates:** 5/14.5/26

REVENUE: No revenue impact

WHAT THE MEASURE DOES: Requires tower to contact parking facility owner or owner's agent prior to tow. Allows tower, with certain restrictions, to monitor parking facility. Requires photographic evidence of improperly parked vehicle. Creates exceptions to towing restrictions for vehicle constituting safety hazard, blocking access, violating prominently posted parking prohibition, or without parking tag in residential lot with fewer parking spaces than units. Requires tower to release vehicle without charge if owner is present at time of tow, or, if hookup complete, for fee not exceeding hookup charge. Requires landlord to post rules, restrictions or limitations in designated guest parking space.

ISSUES DISCUSSED:

- Private impound facilities
- Photographic evidence

EFFECT OF COMMITTEE AMENDMENT: Revises notification provision. Revises exceptions provisions.

BACKGROUND: The practice known as "patrol towing" involves an agreement between a property owner and tower to allow any unauthorized vehicle on the property to be towed without notice. House Bill 2578B prohibits this practice except in cases where public safety or access may be compromised, when a prominently posted parking prohibition is violated, or in residential lots with fewer parking spaces than units. House Bill 2578B was amended to reflect the consensus achieved by a work group consisting of towers, property owners and victims of patrol towing.

MEASURE: CARRIER: