

House Bill 2270

Sponsored by Representative DEMBROW (at the request of former Representative Chuck Riley) (Pre-session filed.)

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 person who tows vehicle to report tow to Department of Transportation if owner or operator of vehicle is not present at time of tow.

Directs department to post information about towed vehicle on department's website.

Permits department to charge administrative fee for each report submitted.

Creates Motor Vehicle Locator Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to motor vehicles; appropriating money; and declaring an emergency.

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

3 **SECTION 1. Sections 2 and 3 of this 2011 Act are added to and made a part of ORS 98.854**
4 **to 98.862.**

5 **SECTION 2. (1) If an owner or operator of a motor vehicle is not present at the time a**
6 **tower tows the motor vehicle from a parking facility, the tower shall report the tow to the**
7 **Department of Transportation in the manner described in subsection (2) of this section**
8 **within two hours of taking possession of the vehicle.**

9 **(2) A report submitted by a tower under this section shall be submitted in a form speci-**
10 **fied by the department and must include:**

11 **(a) A description of the motor vehicle;**

12 **(b) The vehicle identification number;**

13 **(c) The registration plate number;**

14 **(d) The date, time and place of impoundment;**

15 **(e) The reason for removal or impoundment;**

16 **(f) The name of the tower who towed the motor vehicle; and**

17 **(g) The place where the motor vehicle is stored.**

18 **(3) Until the tower reports the tow as required under subsection (1) of this section, a**
19 **tower may not:**

20 **(a) Collect any fee associated with the tow; or**

21 **(b) Begin charging storage fees.**

22 **(4) A tower who reports a tow under this section to the department may charge the**
23 **registered owner of the motor vehicle an administrative fee of \$30.**

24 **SECTION 3. (1) After the Department of Transportation receives a report from a tower**
25 **submitted under section 1 of this 2011 Act, the department shall post on its website the fol-**
26 **lowing information about the towed motor vehicle listed in the report:**

27 **(a) A description of the motor vehicle;**

28 **(b) The registration plate number;**

29 **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.

- 1 (c) The date, time and place of impoundment;
- 2 (d) The reason for removal or impoundment;
- 3 (e) The name of the tower who towed the motor vehicle; and
- 4 (f) The place where the motor vehicle is stored.

5 (2) The department may charge a tower an administrative fee of \$25 for each report the
6 department receives from the tower under section 1 of this 2011 Act. The department shall
7 deposit the fee into the Motor Vehicle Locator Fund established under section 4 of this 2011
8 Act.

9 **SECTION 4.** The Motor Vehicle Locator Fund is established in the State Treasury, sepa-
10 rate and distinct from the General Fund. Moneys in the Motor Vehicle Locator Fund are
11 continuously appropriated to the Department of Transportation for the purposes of carrying
12 out the provisions of sections 2 and 3 of this 2011 Act and informing the public about finding
13 information about towed motor vehicles on the department's website.

14 **SECTION 5.** (1) Sections 1 to 4 of this 2011 Act become operative on January 1, 2012.

15 (2) The Department of Transportation may take any action before the operative date
16 specified in subsection (1) of this section that is necessary to enable the department to ex-
17 ercise, on and after the operative date specified in subsection (1) of this section, all the du-
18 ties, functions and powers conferred on the department by sections 1 to 4 of this 2011 Act.

19 **SECTION 6.** This 2011 Act being necessary for the immediate preservation of the public
20 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
21 on its passage.

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