

STAFF MEASURE SUMMARY

Senate Committee On Business and Transportation

Fiscal: No fiscal impact

Revenue: No Revenue Impact

Action Date: 02/10/16

Action: Do Pass And Requesting Referral To Rules.

Meeting Dates: 02/10

Vote:

Yeas: 5 - Beyer, Girod, Monroe, Riley, Thomsen

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Prohibits towers from towing a motor vehicle from a parking facility without first being contacted by the owner of the facility or the owner's agent. Removes the exception from the prohibition on parking a tow vehicle near a parking facility in order to monitor the facility. Removes the notice exception for towing of motor vehicles that are in violation of certain "no parking" signs. Makes specified violations punishable by a maximum fine of \$250.

ISSUES DISCUSSED:

- Restrictions on "patrol towing"
- Notification of parking rules
- "Predatory towing" compared to "patrol towing"
- Towing rates
- Possible connection to the Unlawful Trade Practices Act
- Function of an "agent" for a facility owner
- Referring to Senate Rules Committee for amendment

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Oregon statute specifies that in most circumstances a tower must first contact the owner of a parking facility before removing a vehicle from the facility; exceptions include when a vehicle is blocking entry to a premises or access by emergency vehicles, is blocking a parked motor vehicle, parks without permission in a restricted apartment parking area, or parks in violation of a posted parking prohibition. House Bill 1546 modifies the existing statute by specifying that the communication between a parking facility owner and a tower must be initiated by the facility owner or their agent.