

SB 133 -2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/21

WHAT THE MEASURE DOES:

Prohibits tow of motor vehicle from parking facility unless sign in plain view prohibits or restricts public parking. Adds requirement that tower receive written confirmation from parking facility's owner or owner's agent before towing a motor vehicle. Removes requirement that tower provide motor vehicle owner with information contained in ORS 98.856. Adds requirement that photograph taken of towed vehicle be provided, upon request, to owner or operator of motor vehicle. Requires towers of multiple storage facilities to tow motor vehicle to facility closest to where vehicle was towed. Defines when hookup of motor vehicle is complete. Adds certain towing provisions to acts enforceable as unlawful trade practice. Makes several technical and stylistic changes. Makes conforming amendments.

REVENUE: Minimal revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Allows tow of motor vehicle from parking facility regardless of facility's signage if tow is with prior consent of vehicle owner or operator. Requires signed, not simply written, confirmation from parking facility's owner or owner's agent before towing a motor vehicle. Adds prohibition that tower may not serve as owner's agent for purpose of signed authorization to tow motor vehicle. Adds requirement that towers who own multiple storage facility tow motor vehicle to facility in the same county as where vehicle was towed.

BACKGROUND:

Senate Bill 133 makes several stylistic and technical changes to towing provisions that apply to unlawfully parked and abandoned vehicles. SB 133 also places additional requirements and prohibitions on towers. It prohibits a tower from towing a motor vehicle from a parking facility unless there is a sign displayed in plain view of the facility prohibiting or restricting public parking at the facility. It also requires a tower to receive written confirmation from a parking facility's owner or owner's agent prior to towing a motor vehicle from the facility. SB 133 would modify the existing requirement that a tower photograph a towed vehicle as it was unlawfully left or parked by directing the tower to provide a copy of the photograph upon request of the motor vehicle owner or operator. SB 133 would further require a tower who owns multiple storage facilities to tow the motor vehicle to the facility with available space that is closest to where the motor vehicle was hooked up. It also defines when a hookup is complete for the purpose of assessing fees owed when the owner or operator is present during the tow. Finally, SB 133 makes violation of several of these towing provisions an unlawful trade practice.